

MINUTES

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

January 26, 2010 – 6:30 P.M.

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

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

Planning Commissioners Absent:
Faletogo (excused); Commissioner Brimmer arrived at 6:56 P.M.; Commissioner Verrett arrived at 6:37 P.M.

Planning Staff Present: Senior Planner Signo, Assistant City Attorney Adrienne Konigar-Macklin, Associate Planner Newberg, Associate Planner Song, Recording Secretary Bothe
- 4. AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
- 5. AGENDA APPROVAL** Commissioner Park moved, seconded by Commissioner Graber, to approve the Agenda as submitted. Motion carried, 5-0 (absent Chairman Faletogo; Commissioners Brimmer 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: January 12, 2010

MOTION:

Commissioner Graber moved, seconded by Commissioner Park, to approve the January 12, 2010, Minutes as submitted. Motion carried, 6-0 (absent Chairman Faletogo; Commissioner Brimmer had not yet arrived).

10. CONTINUED PUBLIC HEARING None

11. PUBLIC HEARING

A) Design Overlay Review No. 1332-09

Applicant's Request:

The applicant, Greve Financial Services, Inc., is requesting to continue the public hearing indefinitely for the construction of a recreational vehicle (RV), boat, and portable unit storage facility and the construction of a new 884-square-foot office 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 19130 South Figueroa Street.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to OPEN the Public Hearing; TAKE Public Testimony; and, CONTINUE the Public Hearing indefinitely.

Vice-Chairman Saenz opened the public hearing.

There being no audience input, the public hearing was closed.

The Commission indicated its preference to replace the words "indefinite continuance" with "until further notice."

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Gordon, to continue this matter until further notice. Motion carried, 7-0 (absent Chairman Faletogo).

11. PUBLIC HEARING

B) Design Overlay Review No. 1347-09; Conditional Use Permit No. 734-09; Conditional Use Permit No. 781-10

Applicant's Request:

The applicant, Lynn Van Aken (Blackdot Wireless) for Clearwire Communications, is requesting to permit an existing legal, non-conforming 90-foot-high wireless telecommunications facility (mono-pole), including a new co-location of additional telecommunication panel antennae, on a property located in the ML (Manufacturing,

Light) zone and within the Merged and Amended Redevelopment Project Area. The subject property is located at 1139 East Dominguez Street.

Staff's Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE the proposed project; and WAIVE further reading and ADOPT Resolution No. 10-2286, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 734-09 and Conditional Use Permit No. 781-10, and recommending approval of Design Overlay Review No. 1347-10 to the Carson Redevelopment Agency for an existing wireless telecommunications facility and new co-location panel antennae located at 1139 East Dominguez Street."

Vice-Chairman Saenz opened the public hearing.

Lynn Van Aken, applicant, noted his support of staff report.

Vice-Chairman Saenz closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Schaefer, to approve the request, thus adopting Resolution No. 10-2286. Motion carried as follows:

AYES: Gordon, Graber, Park, Saenz, Schaefer, Verrett
NOES: None
ABSTAIN: Brimmer
ABSENT: Faleto

11. PUBLIC HEARING

C) Conditional Use Permit No. 744-09

Applicant's Request:

The applicant, Wilbert Watts, Jr. (DLA Piper), is requesting to approve a Conditional Use Permit for Pep Boys, an existing auto parts sales and auto repair store on a site located in the CR-D (Commercial, Regional-Design Overlay Review) zoned district. The subject property is located at 810 East Dominguez Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE Conditional Use Permit No. 744-09; and WAIVE further reading and ADOPT Resolution No. 10-2287, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 744-09 to permit an existing auto parts sales and auto repair store located at 810 East Dominguez Street." He made the following amendments to the Conditions of Approval: Condition No. 9, "In accordance with Ordinance No. 04-1322, the owner/applicant will provide a report which includes plans to eliminate or mitigate any building, plumbing electrical and fire code deficiencies that may exist on the subject commercial building located at 810 East Dominguez

Street. The mitigation measures in such report shall be completed and submitted to the Planning Division within 90 days of the Planning Commission's approval, with an additional 90 days permitted to allow mitigation measures, if any, to be completed subject to Planning Division review and approval; and Condition No. 14, change the word "Commission" to "Division."

Commissioner Park stated that the site plan does not accurately depict the correct number of handicapped parking spaces that are required; and he stated that the Carson Municipal Code (CMC) requires perimeter bumper guards for all parking spaces to be in place when those parking spaces are within 15 feet of a building or public right-of-way.

Associate Planner Newberg indicated that Condition No. 10 requires that the appropriate number of parking spaces will need to be restriped; and explained that the reciprocal easement does not currently allow the placement of permanent bumper guards.

Commissioner Park stated that the City should be consistent with its rule to require automotive repair establishments to put in place waste oil tank services for public use, highlighting Condition No. 12 in the America's Tire Company item from October 2009.

Commissioner Verrett stated, echoed by Vice-Chairman Saenz, that the required number of handicapped parking spaces should be explicit in the conditions of approval.

Vice-Chairman Saenz opened the public hearing.

Wilbert Watts, representing the applicant, stated they will add an additional handicapped parking space to the site plan. With regard to Commissioner Park's comment of placing permanent bumper guards adjacent to the access easement, he explained that that would block some of the ingress/egress for their neighbors who use that access way, which would violate the easement agreement. He expressed his belief that the Just Tires building is more than 15 feet away from their property. He added that Pep Boys currently accepts used motor oil from the public.

Commissioner Brimmer stated that Pep Boys should be communicating with their business neighbors in regard to improving the safety of the easement access way.

Commissioner Graber asked if the parking spaces can be moved closer to the Pep Boys building.

Commissioner Schaefer asked if there have ever been any accidents in this easement area.

Sean Chidsey, Vice-President of Pep Boys, explained that moving those parking spaces closer to their building would likely create a traffic hazard for their customers and work bays, but indicated they would give it some consideration to determine if it's safely possible; and stated that he is not aware of any accidents that have taken place in the easement passageway.

There being no further input, Vice-Chairman Saenz closed the public hearing.

In response to the Commission's request to clarify the changes, Assistant City Attorney Konigar-Macklin stated it is her understanding the Commission would like to have the parking restriped and to include the additional handicapped parking space; that staff is to address how the parking might be reconfigured to improve access in the easement passageway and to install bumper guards; and to include the changes Associate Planner Newberg had referenced during his presentation.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Graber, to approve the applicant's request with the following modifications: amend Condition No. 9, "In accordance with Ordinance No. 04-1322, the owner/applicant will provide a report which includes plans to eliminate or mitigate any building, plumbing electrical and fire code deficiencies that may exist on the subject commercial building located at 810 East Dominguez Street. The mitigation measures in such report shall be completed and submitted to the Planning Division within 90 days of the Planning Commission's approval, with an additional 90 days permitted to allow mitigation measures, if any, to be completed subject to Planning Division review and approval; Condition No. 10, add "Owner shall re-slurry and provide striping for the appropriate number of handicapped parking spaces and bumper guards as called for in the Carson Municipal Code; Condition No. 14, change the word "Commission" to "Division"; and moved to adopt Resolution No. 10-2286. (This motion was ultimately withdrawn.)

Commissioner Brimmer offered a friendly amendment to the motion, asking that the amended conditions and site plan be brought back to the next Planning Commission meeting.

Commissioner Verrett accepted the friendly amendment to her motion.

Commissioner Graber stated he is confident that staff will make the changes and that it is not necessary to bring this item back to the Planning Commission.

By way of a substitute motion, Commissioner Park moved, seconded by Commissioner Graber, to approve the applicant's request with the following amendments: amend Condition No. 9, "In accordance with Ordinance No. 04-1322, the owner/applicant will provide a report which includes plans to eliminate or mitigate any building, plumbing electrical and fire code deficiencies that may exist on the subject commercial building located at 810 East Dominguez Street. The mitigation measures in such report shall be completed and submitted to the Planning Division within 90 days of the Planning Commission's approval, with an additional 90 days permitted to allow mitigation measures, if any, to be completed subject to Planning Division review and approval; Condition No. 10, add "Owner shall re-slurry and provide striping for the appropriate number of handicapped parking spaces and bumper guards as called for in the Carson Municipal Code; Condition No. 14, change the word "Commission" to "Division"; add Condition No. 15A, "The owner/applicant shall provide for public use above-ground storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices. The Planning Division shall approve the location and signage for company "used oil recycling" services"; and to bring back to the next Commission meeting a revised site plan that indicates these changes. (This motion was ultimately withdrawn.)

Vice-Chairman Saenz recessed the meeting at 8:14 P.M. and reconvened the meeting at 8:16 P.M.

Assistant City Attorney Adrienne Konigar-Macklin suggested the Commission continue this matter to the next meeting, giving staff an opportunity to incorporate all the changes into the conditions of approval for the Commission's review.

All motions on the floor were withdrawn at this time.

Commissioner Schaefer, echoed by Vice-Chairman Saenz, expressed her belief a continuance is not necessary, stating she believes staff has a clear understanding of the changes made by the Commission.

Vice-Chairman Saenz reopened the public hearing to determine if the applicant will be able to attend the next meeting.

Commissioner Gordon moved, seconded by Commissioner Verrett, that the public hearing not be re-opened. (Without objection, this motion was ultimately not put to vote.)

Following further debate, Vice-Chairman Saenz closed the public hearing.

Commissioner Gordon moved, seconded by Commissioner Schaefer, to approve the request with the following amendments: amend Condition No. 9, "In accordance with Ordinance No. 04-1322, the owner/applicant will provide a report which includes plans to eliminate or mitigate any building, plumbing electrical and fire code deficiencies that may exist on the subject commercial building located at 810 East Dominguez Street. The mitigation measures in such report shall be completed and submitted to the Planning Division within 90 days of the Planning Commission's approval, with an additional 90 days permitted to allow mitigation measures, if any, to be completed subject to Planning Division review and approval; Condition No. 10, add "Owner shall re-slurry and provide striping for the appropriate number of handicapped parking spaces and bumper stops as called for in the Carson Municipal Code; Condition No. 14, change the word "Commission" to "Division"; add Condition No. 15A, The owner/applicant shall provide for public use above-ground storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices. The Planning Division shall approve the location and signage for company "used oil recycling" services"; and moved to adopt Resolution No. 10-2287. This motion carried as follows:

AYES: Gordon, Graber, Saenz, Schaefer, Verrett
NOES: Brimmer, Park
ABSTAIN: None
ABSENT: Faletogo

12. NEW BUSINESS DISCUSSION None

13. WRITTEN COMMUNICATIONS

- SB 375 Leadership Forum for South Bay Cities in cooperation with Los Angeles County and the Los Angeles County Metropolitan Transportation Authority (METRO), presents “Doing our Part for a Sustainable California – Informing Regional Target Setting,” Thursday, February 11, 2010, 11:30 a.m. – 2:00 p.m.
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14. MANAGER'S REPORT None

15. COMMISSIONERS' REPORTS

Commissioner Schaefer asked who will be in charge of approving community-oriented advertizing on the Bulletin Displays billboard next to the 405 Freeway and keeping track of the time the billboard is being used for community service.

Senior Planner Signo stated that he would need to research who the responsible party will be and provide that information at the next meeting.

Commissioner Gordon asked if there is a way to display the Municipal Code sections on the computer screen at the meetings.

Commissioner Verrett invited everyone to attend the January 30th Walk for Children at CSUDH at 10:00 A.M., noting that free books, toys, food, health screenings and other services will be available in Room 603-D.

Commissioner Park asked whether internet service could be displayed in this room in order to access the City's Municipal Code when needed. He advised that Carson will be hosting two meetings to discuss changing the areas for the flood plain involving the Dominguez Channel and the Compton Creek areas, requiring flood insurance for those who will be placed in these areas of concern; and advised that the meetings will take place at 6:00 P.M. at the Community Center this Wednesday and Thursday. He urged the public to attend these meetings, pointing out that their insurance rates will likely increase with the new federal requirement for flood insurance. He advised that Lakeshore Learning Center will be conducting a job fair tomorrow at 7:30 A.M. at the Dominguez Community Center.

Commissioner Graber echoed Commissioner Park's urging for the residents to attend the flood plain construction meetings, noting it may be less expensive to obtain the flood insurance now before it is a requirement; and he added that once those areas are designated flood plain areas, the rates will go up if the resident doesn't have flood insurance.

Commissioner Brimmer stated this body has the responsibility to make sure their approved motions are properly indicated in the conditions of approval, noting there needs to be follow-up to make sure these changes have been made; and noted her disappointment that the Pep Boys conditions will not be coming back before this body for review.

Vice-Chairman Saenz asked that the City develop more ways to increase its revenues, suggesting that fees be applied to cell towers on private property or that the former Fletcher Oil property be rezoned for commercial/industrial use.

Commissioner Verrett encouraged the residents to attend the flood plain construction meetings.

16. ADJOURNMENT

At 8:58 P.M. the meeting was formally adjourned to Tuesday, February 9, 2010, 6:30 P.M., City Council Chambers.

Chairperson

Attest By:

Secretary