

MINUTES

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

September 14, 2010 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faleto go called the meeting to order at 6:34 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute was led by Commissioner Saenz.
3. **ROLL CALL**
Planning Commissioners Present:
*Brimmer, Diaz, Faleto go, Gordon,
Graber, Park, Schaefer, Saenz,
Verrett

*(Commissioner Brimmer arrived at
6:54 P.M.)

Planning Commissioners absent:
None

Early Departure: None

Planning Staff Present: Planning
Officer Repp, City Attorney Konigar-
Macklin, Senior Planner Signo,
Associate Planner Newberg,
Assistant Planner Castillo, Planning
Secretary Bothe
4. **AGENDA POSTING
CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Saenz moved, seconded by Commissioner Diaz, to approve the Agenda as presented. Motion carried (Commissioner Brimmer had not yet arrived).
6. **INSTRUCTIONS
TO WITNESSES** Chairman Faleto go 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: August 10, 2010.

MOTION:

Chairman Faletogo moved, seconded by Vice-Chairman Park, to approve the August 10, 2010, Minutes as presented. Motion carried (Commissioner Brimmer had not yet arrived).

Commissioner Graber commended Planning Secretary Bothe on the minutes.

10. CONTINUED PUBLIC HEARING

- A) **Design Overlay Review No. 1381-10**

The applicant/property owner, MS Kearny Real Estate, is requesting to continue the public hearing to consider approval of a development plan for two approximately 20,000-square-foot warehouse/office buildings on an approximate 2.8-acre site in the ML-D (Manufacturing, Light – Design Overlay) zoning district and within Redevelopment Project Area No. 1. The subject property is located at 18600-18721 South Broadway.

Staff Recommendation:

Continue to September 28, 2010.

Planning Commission Decision:

Chairman Faletogo moved, without objection, to continue this matter to the September 28, 2010, Planning Commission meeting (Commissioner Brimmer had not yet arrived).

10. CONTINUED PUBLIC HEARING

- B) **Conditional Use Permit 821-10**

The applicant/representative, Altman's RV, is requesting a proposed existing freeway pylon sign modification to replace an existing 170-square-foot double-sided sign cabinet with an electronic reader board display. The subject property is located at 22020 Recreation Road.

Staff Recommendation:

Continue to September 28, 2010.

Planning Commission Decision:

Chairman Faletogo moved, without objection, to continue this matter to the September 28, 2010, Planning Commission meeting (Commissioner Brimmer had not yet arrived).

10. CONTINUED PUBLIC HEARING

C) Conditional Use Permit 792-10

Applicant's Request:

The applicant, Compton Creek, LLC, is requesting a continued public hearing to consider the development and operation of a 150-space recreational vehicle (RV) storage lot to be located on the east and west 50-foot wide portions of an approximately 320-foot-wide by 1,413-foot-long section of the Compton Creek Watershed located in the OS (Open Space) zoning district. The subject property is located at 2900 East Del Amo Boulevard.

Staff Report and Recommendation

Associate Planner Newberg presented staff report and the recommendation to ADOPT the Negative Declaration; APPROVE Conditional Use Permit No. 792-10; 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. 792-10 for the development and operation of a 150-space recreational vehicle storage (parking) lot on an 8.7-acre site located at 2900 East Del Amo Boulevard." He noted that two memos (of record) were distributed to the Commissioners this evening: 1) from Phil Steuber requesting a continuance and his noted concerns and; 2) one from the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy, addressing their concerns.

Vice-Chairman Park asked if a traffic study had been performed in this area and were site access plans laid out as well as turning radii.

Associate Planner Newberg indicated that Traffic Engineer Garland approved this request based on his analysis, noting that he did not perform a traffic study; and he noted that the Fire Department and the Traffic Engineer were satisfied with the turning radius and access ways. He added that the turn-around areas have turnouts for better ingress/egress.

Vice-Chairman Park noted Condition No. 9 indicates that repairs may be permitted on site.

Associate Planner Newberg stated that language is standard in the conditions of approval and noted that in this case, it can be deleted because automotive repairs are not permitted on this site.

Commissioner Graber expressed his concern with the numerous vehicles being so close to the storm channel and nature preserve; and pointed out that FEMA has indicated this waterway does not have the capacity to support a 100-year flood event, noting his concern the vehicles and equipment will damage the bridges and pollute the waterways. He suggested that if this project is approved, the applicant should be responsible for any damages these vehicles may cause to the channel and bridges.

Addressing Commissioner Schaefer's inquiry regarding the bike path, Associate Planner Newberg stated that this project does not impact the plans for the bike path because it currently is planned to end at the Del Amo Overpass.

Commissioner Schaefer asked if a management office will be located on site.

Associate Planner Newberg stated that a permanent structure is not allowed on this site, but noted that some staff will be on site for a while. He added that security cameras will be utilized.

Addressing Commissioner Graber's inquiry regarding the memo that was distributed to the Commission from the Rivers and Mountains Conservancy, Associate Planner Newberg advised that the applicant still needs to get approval from the Los Angeles Department of Water and Power (DWP).

Planning Officer Repp clarified that the land use authority rests with the city of Carson; and that the applicant will need to demonstrate to the DWP that their project will not restrict access to the DWP's reciprocal easement.

Chairman Faletogo asked if anyone will be present on site for management and maintenance.

Associate Planner Newberg stated that there will initially be staff on site from 7:00 a.m. to 7:00 p.m., along with security cameras.

Mr. Colaruotolo, representing the applicant, stated that no security personnel will be on site; that the cameras will be monitored from an offsite location; that he will also be storing his rental equipment on this site, noting he will be storing his small, electric scissor lifts; and that the tenants will gain access through a key card system. He pointed out that any storage yard is likely to have security issues.

Commissioner Verrett asked if the security system is directly set up for the Sheriff's use.

Mr. Colaruotolo explained that the monitoring has a 1-minute delay and that the wireless feed is sent to a security service that can alert the police of any problems. He noted for Vice-Chairman Park that there is plenty of room to safely cue any vehicles entering/exiting this site.

Phil Steuber, adjacent property/business owner, stated that the applicant has not reached out to the neighbors to address their legitimate concerns; and noted his concern that the neighboring businesses don't know how this project is going to impact the security and safety of their properties and employees. He highlighted the memo he provided to the Commission which outlines his concerns.

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

Vice-Chairman Park moved, seconded by Commissioner Graber, to deny the applicant's request. This motion was superseded by the substitute motion.

By way of a substitute motion, Commissioner Verrett moved, seconded by Commissioner Saenz, to continue this matter to the next Planning Commission meeting, allowing time for the applicant to meet and confer with the neighboring property owners; and to accept the amendments discussed at this evening's meeting as follows: 1) Condition No. 10, add a sentence at the end, "Unless the applicant signs off on the indemnification provisions, there is no Conditional Use Permit"; 2) delete the word "repair" in Condition No. 14 and; 3) add a Condition No. 62, "The applicant shall provide a security plan for the property, including the placement locations for security cameras, type and height of wrought-iron fencing, and schedule for periodic inspections of the site. Such plan shall be submitted to the Planning Division for review and approval prior to the issuance of a grading permit."

Vice-Chairman Park reiterated his concerns with the safety, increasing traffic congestion in this area and Caltrans' plans to make future improvements to this area. He expressed his concern that this project will interfere with planned improvements in this area for the channel/creek, bike path and traffic improvements.

Commissioner Gordon pointed out that theft and traffic congestion currently takes place in this area and that there is no proof this business will increase those situations; and he stated that the property rights of this applicant should also be taken into consideration. He added that the proposal is consistent with the land use designation.

Commissioner Graber stated that placing these vehicles on top of this dike will create an unsafe condition.

Chairman Faletogo stated that this proposal is a good use for this property, noting he is mindful of the environmental issues of concern; but stated that he cannot base his decision on assumptions of what can happen in the future.

By way of a friendly amendment, Commissioner Gordon asked that staff coordinate the meeting(s) with the applicant and the adjoining property owners to work out any issues of concern and for this item to be approved if all parties come to a consensus.

Commissioner Verrett accepted the friendly amendment.

Vice-Chairman Park noted his concern that the friendly amendment would create a confusing time issue for appealing any approval.

Commissioner Saenz did not accept the friendly amendment.

Planning Officer Repp stated she would prefer for a continuance to come back before this Commission for final approval once the property owners meet and confer if that is the Commission's desire.

The motion to continue this issue carried as follows, 5-4:

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

10. CONTINUED PUBLIC HEARING

D) Conditional Use Permit 826-10

Applicant's Request:

The applicant, Union 76, is requesting the Commission approve a Conditional Use Permit for convenience goods sales at a retail petroleum outlet located within 300 feet of a middle school. The subject property is located at 1025 East Carson Street.

Staff Recommendation:

Continue to October 12, 2010.

Planning Commission Decision:

Chairman Faletogo moved, without objection, to continue this matter to the October 12, 2010, Planning Commission meeting.

10. CONTINUED PUBLIC HEARING

E) Variance No. 512-10

Applicant's Request:

The applicant, Michael Pate, is requesting to permit a variance from Carson Municipal Code (CMC) Section 9146.3 and exceed the maximum fence height allowed within the required front and side yard area on a site located in the MH (Manufacturing, Heavy) zoning district. The subject property is located at 21300 South Wilmington Avenue.

Staff Recommendation:

Receive and file.

Planning Commission Decision:

Chairman Faletogo moved, without objection, to receive and file.

11. PUBLIC HEARING

A) Conditional Use Permit No. 820-10

Applicant's Request:

The applicant, Judith Hulsey, is requesting to approve a CUP for a second dwelling unit located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2723 East Monroe Street.

Staff Recommendation:

Continue to October 12, 2010.

Planning Commission Decision:

Chairman Faletogo moved, without objection, to continue this matter to the October 12, 2010, Planning Commission meeting.

11. PUBLIC HEARING

B) Design Overlay Review No. 1370-10 and Conditional Use Permit No. 843-10

Applicant's Request:

The applicant, Clyde Kim, is requesting construction of a new, 25,915-square-foot, two-story, manufacturing, warehouse, and office building on a one-acre lot in the ML-D (Manufacturing, Light – Design Overlay) zoning district and within Redevelopment Project Area No. 1. A conditional use permit for shared parking with the adjacent pet cemetery property to the north is also requested. The subject property is located at 441 West Victoria Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 10-2335, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 843-10 for shared parking and recommending approval of Design Overlay Review No. 1370-

10 to the Carson Redevelopment Agency for construction of a 25,915-square-foot building for warehouse, manufacturing, and office uses located at 441 West Victoria Street.”

Chairman Faletogo opened the public hearing.

Clyde Kim, applicant, noted his concern with the deadlines and requested that Condition No. 77 be amended to allow him to post a bond to satisfy that condition and that the words “plastered and painted” be deleted on Condition No. 32.

Associate Planner Newberg noted for Vice-Chairman Park that there will not be any hazardous materials processed at this site.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the applicant's request; to delete the words “plastered and painted” on Condition No. 32; add a sentence to Condition No. 77, “The applicant may provide a bond to satisfy this condition, subject to the approval of the Engineering Department”; and moved to adopt Resolution No. 10-2335. Motion carried, 9-0.

11. PUBLIC HEARING

- C) 1) Conditional Use Permit No. 772-09**
- 2) Conditional Use Permit No. 844-10**

Applicant's Request:

The applicant, 1) Ohio Auto Body and 2) American Auto Center, represented by Pat Brown, are requesting Conditional Use Permit approvals to facilitate continued auto repair use for two businesses on a site located in the CG-D (Commercial General-Design Overlay) zoning district. The subject property is located at 21226 Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading; ADOPT Resolution No. 10-2336, entitled, “A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 772-09 for a continued auto repair use located at 21226 South Main Street”; and ADOPT Resolution No. 10-2337, entitled, “A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 844-10 for a continued auto repair use located at 21226 South Main Street.”

Commissioner Schaefer stated that the same banners have been displayed for a long time on this property.

Associate Planner Newberg stated a condition of approval can be added to take down any unauthorized signs/banners.

Chairman Faletogo opened the public hearing.

Pat Brown, applicant's representative, noted that the banners will be taken down; and requested that the wrought iron fence be allowed to stay in its current position, noting

there is a problem with the slope of the cement. He stated that portable boxed planters with larger trees would be more aesthetically pleasing than low-lying plants.

Bob Demesko, applicant, stated that he has been doing business in Carson for 40 years; advised that he was required by the City to give up 10 feet of his property frontage to the City in 1981; and that the City was responsible for placing the wrought iron fence in its current position. Other than moving the wrought iron fence, he noted his concurrence with the conditions of approval.

Associate Planner Newberg stated that staff would support leaving the wrought iron fence in its current location.

Commissioner Brimmer stated it would be nice to see before-and-after shots of project improvements.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the applicant's request; to add a condition that the applicant shall remove all unauthorized signs within 72 hours of this approval; and moved to adopt Resolution Nos. 10-2336 (CUP No. 772-09) and 10-2337 (CUP No. 844-10). Motion carried, 9-0.

11. PUBLIC HEARING

D) Conditional Use Permit No. 774-09

Applicant's Request:

The applicant, Edward Walker, is requesting a Conditional Use Permit for continued auto repair uses on a site zoned ML-D (Manufacturing, Light – Design Overlay). The property is located at 20836 Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No.10-2338, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 774-09 for a continued auto repair use located at 20836 South Main Street."

Commissioner Brimmer, echoed by Commissioner Diaz, stated they would have liked to see the landscaping plans.

Chairman Faletogo opened the public hearing.

Pat Brown, applicant's representative, stated that putting up a wrought iron fence is a large expense for the applicant, noting that his income has been gradually decreasing because of the poor economy. He noted it would be helpful if the adjoining business would share in the cost for the dividing/south wrought iron fencing.

Edward Walker, applicant, stated that he had fifteen well-maintained 25-gallon planters all over his property filled with beautiful roses until code enforcement forced him to get rid of those planters, noting his constant effort to properly maintain his property.

Associate Planner Newberg stated that wrought iron fencing and a 5-foot landscaped setback area will be the standard along this portion of Main Street.

Commissioner Graber suggested that if the applicant qualifies, he should seek assistance with the commercial rehab program for the cost of the wrought iron fencing. Planning Officer Repp stated that the chain link fencing will need to be removed within 90 days of approval, noting the applicant can put up the wrought iron fence when he can afford to do so.

Vice-Chairman Park suggested the applicant be permitted to keep the dividing chain link fence up for 6 months and then split the cost of the wrought iron fence with the adjoining business after it comes before the Planning Commission for its CUP.

Mr. Brown noted there are businesses along Main Street that do not have any front fencing.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chair Park moved, seconded by Commissioner Diaz, to approve the applicant's request; to amend Condition No. 11, "Wrought-iron fencing shall be placed along the south elevation within 90 days, and the chain link fencing on the west elevation shall be removed"; add Condition 18, "The two existing pole signs shall be removed within 90 days of CUP approval"; and moved to adopt Resolution No. 10-2338. Motion carried, 8-1, with Commissioner Schaefer abstaining.

11. PUBLIC HEARING

E) Design Overlay Review No. 1369-10, Conditional Use Permit No. 829-10, and Conditional Use Permit No. 833-10

Applicant's Request:

The applicant, Trillium for T-Mobile West Corporation, is requesting Conditional Use Permit approvals to facilitate continued auto repair use for two businesses on a site located in the CG-D (Commercial General-Design Overlay) zoning district. The property is located at 1981 East 213th Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 10-2339, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1369-10, Conditional Use Permit No. 829-10 and Conditional Use Permit No. 833-10 to construct a 60-foot high unmanned wireless telecommunication facility designed as a pine tree at 1981 East 213th Street."

Chairman Faletogo opened the public hearing.

Tim Miller, applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Graber moved, seconded by Commissioner Verrett, to approve the applicant's request, thus adopting Resolution No. 10-2339. Motion carried, 9-0.

12. WRITTEN COMMUNICATIONS None

13. MANAGER'S REPORT

Planning Officer Repp advised that an appeal has been filed on behalf of the applicant for Rick's Lube and Tune & Brakes, noting that appeal will be before City Council on October 7, 2010. She stated that staff is upholding the Planning Commission's decision and is not in support of the appeal, inviting any Commissioners to attend that City Council meeting if they wish to speak on this item.

Planning Officer Repp thanked Vice-Chairman Park for forwarding her the following conference information: *Moving Forward Together Conference* at the Carson Community Center on October 22nd and 23rd, a conference for communities impacted by trade, ports and goods movement. She encouraged the Commission's attendance at this event. She noted that his email will be forwarded to the Planning Commissioners.

Senior Planner Signo advised that the Shell Oil project is moving forward, soon to have a Notice of Release; and he invited the Planning Commissioners on a tour of this facility and the Kinder Morgan facility. He invited the Commission to attend the ceremonial groundbreaking event on Wednesday, September 22, 2010, of the Thomas Saffron project across the street from City Hall, The Renaissance at City Center, from 11:00 a.m. to 12:30 p.m.

Planning Officer Repp added that if the Commissioners are interested/available, a Saturday in October can be set aside to tour the Shell and Kinder Morgan sites, and that other areas within the City can be toured as well. She asked the Commission to contact staff with their interest and availability for an October Saturday tour.

14. COMMISSIONERS' REPORTS

Commissioner Diaz thanked Mayor Jim Dear, Councilwoman Lula Davis-Holmes, Councilman Gipson, and Planning Commissioner Schaefer for their attendance at the 31st annual Labor Day Parade and Rally.

Commissioner Schaefer commended Commissioner Louie Diaz for his leadership of the Labor Day event. She thanked Planning Secretary Bothe for sending, via the internet, various informational materials of interest to the Commissioners.

Commissioner Graber suggested the October Saturday tour include the Sanitation District's wetlands property.

Vice-Chair Park noted that he spoke during Oral Communications at the last City Council meeting to discuss the creation of a citizens committee that will focus on the impacts of the new high school; and stated that he urged the City's support and assistance in this endeavor.

Chairman Faletogo thanked and commended staff and the Commissioners for their efforts this evening. He suggested another Goodyear blimp tour if possible.

15. ADJOURNMENT

At 9:40 P.M. the meeting was formally adjourned to Tuesday, September 28, 2010, City Council Chambers.

Chairperson

Attest By:

Secretary