

MINUTES

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

October 12, 2010 – 6:30 P.M.

- 1. CALL TO ORDER** Chairman Faleto go called the meeting to order at 6:35 P.M.
- 2. PLEDGE OF ALLEGIANCE** Chairman Faleto go led the Salute to the Flag.
- 3. ROLL CALL** Planning Commissioners Present: *Brimmer, Diaz, Faleto go, Gordon, Park, Schaefer, Saenz, *Verrett

*Commissioners Brimmer arrived at 6:50 P.M.; Verrett arrived at 6:40 P.M.

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Konigar-Macklin, Associate Planner Song, Assistant Planner Raktiprakorn, Recording 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 submitted. Motion carried, 6-0 (Commissioners Brimmer and Verrett 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: September 28, 2010

MOTION: Chairman Faletogo moved, seconded by Commissioner Gordon, to approve the September 28, 2010, Minutes as presented. Motion carried (Commissioners Brimmer and Verrett had not yet arrived).

10. NEW BUSINESS DISCUSSION

A) Measure H: One-Cent-Per-Dollar Sales Tax in Carson

City Manager Jerry Groomes advised that the November 2, 2010, special municipal elections ballot will include Measure H, an initiative to establish an additional one-cent-per-dollar sales tax in Carson for the next 5 years to offset reduced revenues that fund many of the vital services provided by the City, such as the Carson Sheriff's Station's response to 911 calls, Sheriff's deputies patrol, gang suppression and prevention, street maintenance, graffiti removal and tree trimming, youth recreation and after-school programs, senior recreation and other programs for seniors, the stroke recovery program and natural disaster response. He advised that if approved by voters, the additional one-cent-per-dollar sales tax in Carson is projected to raise approximately \$10 million per year for 5 years.

City Manager Groomes advised that City Council unanimously declared a fiscal emergency even following significant reductions in the City's budget over the last 3 years, in areas such as law enforcement staffing levels, city staffing in key service areas, tree trimming, streets and parks maintenance, reduction of park hours, assistance to homebound seniors, and cultural, fine arts and citywide community events.

City Manager Groomes stated that the new sales tax, if passed by voters, will not apply to food purchased as groceries or prescription medicines. He added that Measure H will sunset in 2016 unless extended by another vote of Carson voters and is subject to annual independent audits; and noted that the measure also contains tough safeguards which ensure the funds stay in Carson and cannot be seized by Sacramento. He mentioned that there are currently 21 other cities in California that are proposing sales tax increases on election ballots. He added that if the budget improves, the sales tax can be reduced or eliminated but that it cannot be increased; and noted that 50 percent of these funds will be placed in reserves.

Commissioner Saenz expressed his belief that certain departments have too many staff on their payroll, citing a high number of City employees who work out of 1 Civic Plaza; and that too many expensive consultants are being hired. He stated that the City needs to be more proactive in its enforcement of businesses operating without a valid business license.

City Manager Groomes advised that in the past 8 to 10 years, the City has eliminated 70 full-time positions.

City Manager Groomes noted for Chairman Faletogo that the current sales tax is 9.75 percent and that passage of this initiative would make it 10.75 percent per dollar.

Vice-Chairman Park stated that the City needs to do a better job of not sending out multiple notices to the same address, suggesting the mailings be delivered via the internet or by other electronic means.

City Manager Groomes noted for Commissioner Diaz that this tax increase would sunset in March 2016 and that it could only continue if placed back on the ballot and passed.

The Planning Commission did not take a position.

11. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 820-10

Applicant's Request:

The applicants, Luis and Carolina Cano, are 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 Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to APPROVE Conditional Use Permit No. 820-10 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 10-2347, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 820-10 for an existing second dwelling unit located at 2723 East Monroe Street."

Associate Planner Song explained for Chairman Faleto go that the applicants are deficient by one parking space for the second dwelling.

Chairman Faleto go opened the continued public hearing.

Luis Cano, applicant, stated that these dwellings were built over 50 years ago; that he has owned this property since 1958; and he urged the City to allow him to keep the sink and washing machine area. He noted that a little additional time may be necessary to make the changes.

Associate Planner Song noted for Commissioner Verrett that the area the applicant is requesting to remain is approximately 20 square feet.

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

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Verrett, to approve the applicant's request, thus adopting Resolution No. 10-2347. (This motion ultimately carried.)

By way of a friendly amendment, Commissioner Verrett asked that the applicant be permitted to keep the sink area if deemed safe by the Building and Safety Department and that the applicant be given 6 months to complete the work.

Chairman Faleto go accepted the friendly amendment.

By way of a substitute motion, Vice-Chairman Park moved, seconded by Commissioner Diaz, to deny the applicant's request. This motion failed as follows:

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

The amended motion carried (6-2) as follows:

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

11. CONTINUED PUBLIC HEARING

B) Conditional Use Permit 826-10

Applicant's Request:

The applicant, Union 76/Kambiz Katirai, is requesting approval of 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 Report and Recommendation:

Assistant Planner Raktiprakorn presented staff report and the recommendation to APPROVE Conditional Use Permit No. 826-10 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 10-2348, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 826-10 to allow for the sale of convenience goods at a retail petroleum outlet within 300 feet of a middle school for the property located at 1025 East Carson Street."

Assistant Planner Raktiprakorn noted for Commissioner Verrett that the convenience store would close to customers at 10:00 P.M.

Vice-Chairman Park stated he would like to see an ordinance adopted to address when convenience stores located within a certain distance from schools can be open to students. He asked why the 3-foot front landscaped area is not being required to increase to 5 feet wide, noting the need for consistency.

Senior Planner Signo explained that the gas pumps are 12 feet 7 inches away from the front landscaped area; and he mentioned that new developments are required to have a 10-foot landscape setback.

Planning Officer Repp explained that Planning will require whatever additional landscaping on setbacks that can safely be added, noting that because of the limited space in this front area and its close proximity to the gas pumps, 3 feet is as much as would safely be required for this project. She added that circulation is also limited in this area; and stated that the new location for Rick's Lube and Tune would be considered a new development and one that could safely meet this 10-foot requirement.

Chairman Faletogo noted his concern that the children might be loitering in the afternoons at this store.

Senior Planner Signo stated that Condition No. 25 requires these conditions be reviewed should loitering become an issue.

Chairman Faletogo opened the public hearing.

Kambiz Katirai, applicant, noted his concurrence with the conditions of approval; explained that there is no safe way to add an additional landscaped area to the front setback without moving the pumps. He pointed out that he has never had any problems in his 20 years operating at this site with the school children, noting that many of the kids go to the neighboring Jack-in-the-Box or Subway. He stated that his merchandise is a bit pricey for the kids.

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

Planning Commission Decision:

Commissioner Gordon moved, seconded by Commissioner Schaefer, to approve staff recommendation, thus adopting Resolution No. 10-2348. Motion unanimously carried, 8-0.

12. PUBLIC HEARING None

13. NEW BUSINESS DISCUSSION (cont'd)

A) Workshop Regarding Long-Term Temporary Business Signs

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission discuss and consider requirements to extend banner permits and other long-term temporary business signs for properties citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation for the Planning Commission to CONSIDER/DISCUSS the information provided in this workshop.

Commissioner Verrett stated that she would like to see some help extended to the businesses but that she would not like to see a proliferation of the same signage on one establishment; and that the banners should be allowed to be up for a longer period of time until the economy improves.

Commissioner Diaz stated that he would not like to see any change to current standards, stating he does not want to see a proliferation of banners and other signage.

Commissioner Schaefer noted her concern with banners being up for a long period of time and becoming tattered.

Chairman Faletogo expressed his belief that something needs to be done to help the businesses in this recession, stating he would support a banner display of 60 days.

Senior Planner Signo stated that the banners are currently allowed to remain in place for 60 calendar days.

Commissioner Saenz expressed his concern that this would create a code enforcement issue; stated that 60 days is sufficient for a business on a main roadway and that 80 days should be given to those businesses off a main roadway; and he suggested that this should be considered on a case-by-case basis.

Commissioner Verrett stated that she would support 90 days for a small business to display a banner.

Senior Planner Signo mentioned that a code enforcement stamp has been considered for keeping track of how long a banner has been erected.

Commissioner Brimmer agreed that this should be considered on a case-by-case basis.

Planning Officer Repp stated that this weekend's Commission City tour will be helpful in seeing how nonpermitted signage impacts a city; and she stated that she could support going from 60 days to 90 days for banner displays.

Chairman Faletogo stated that he would not like to make a change to the ordinance but that he would support extending banner displays to 90 days.

Planning Commission Decision:

Chairman Faletogo moved to receive and file staff report.

14. WRITTEN COMMUNICATIONS None

15. MANAGER'S REPORT

Planning Officer Repp reminded the Commissioners of the City tour this Saturday.

Planning Officer Repp invited the Commissioners to attend and/or participate in the City's first annual Carson Triathlon on Saturday, October 23rd, noting that volunteers are needed to help with the event.

Planning Officer Repp announced that Planning Commissioner John Graber will now be on the Parks and Recreation Commission.

Senior Planner Signo reminded the Planning Commission of the Shell tour tomorrow between 1:00 p.m. and 3:00 p.m.

16. COMMISSIONERS' REPORTS

Commissioner Brimmer commended Associate Planner Song for her report this evening, and she stated that another second-unit workshop is necessary to clarify some issues.

Vice-Chairman Park reminded the Commission of the Moving Forward conference at the Community Center on October 22nd and 23rd, urging the Commission to participate in this conference.

The Commission expressed best wishes to John Graber, noting that his expertise/input will be missed.

17. ADJOURNMENT

At 9:10 P.M., the meeting was adjourned to Saturday, October 16, 2010, City Tour.

Chairperson

Attest By:

Secretary