

## MINUTES

### CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION CITY COUNCIL CHAMBERS, CARSON CITY HALL

701 East Carson Street, Second Floor  
Carson, CA 90745

October 11, 2011 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:40 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Schaefer.
3. **ROLL CALL**

Planning Commissioners Present:  
\*Brimmer, Diaz, Faletogo, Goolsby,  
Gordon, Schaefer, Saenz, Verrett,  
Williams

\*(Commissioner Brimmer arrived at  
6:49 P.M.)

Planning Commissioners Absent and  
Planning Commissioners Departed  
Early: None

Planning Staff Present: Senior  
Planner Signo, City Attorney Wynder,  
Associate Planner Gonzalez,  
Recording Secretary Bothe
4. **AGENDA POSTING  
CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Diaz moved, seconded by Commissioner Verrett, to take Item Nos. 11B and 11C as the first order of business and to approve the Consent Calendar as presented. Motion carried (Commissioner Brimmer 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** City Attorney Wynder

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**8. ORAL COMMUNICATIONS**

For items **NOT** on the agenda. Speakers are limited to three minutes. None.

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**9. CONSENT CALENDAR**

**A) Minutes:** September 27, 2011

**MOTION:** Commissioner Diaz moved, seconded by Commissioner Verrett, to approve the September 27, 2011, Minutes as presented. Motion carried, 8-0 (Commissioner Brimmer had not yet arrived).

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**9. CONSENT CALENDAR**

**B) Modification No. 2 to Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, Conditional Use Permit No. 686-07, Tentative Tract Map No. 70818**

Applicant and Owner:

The applicant, Thomas Safran & Associates, is requesting a modification to an approved development plan to modify conditions regarding park fees and enhance the architectural design by including a tower at the southern end of the building. The subject property is located at 708-724 East Carson Street and 21720-21814 South Avalon Boulevard.

Staff Recommendation:

WAIVE further reading and ADOPT a minute resolution approving Modification No. 2 to Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, Conditional Use Permit No. 686-07, and Tentative Tract Map No. 70818; AMEND Condition No. 74 of Resolution No. 09-2266 to read, "Prior to recordation of the Final Map, the Developer shall pay \$512,794 in Park and Recreation Fees"; and ADD Condition No. 129 to Resolution No. 08-2193 to read, "The bell tower at the southern end of the building shall be stationary. No ringing is allowed unless previously approved by the Planning Commission at a public hearing with proper noticing given to residents within 500 feet of the property."

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Verrett, to approve the applicant's request. Motion carried (Commissioner Brimmer had not yet arrived).

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**10. CONTINUED PUBLIC HEARING**

**A) Conditional Use Permit No. 875-11**

Applicant's Request:

The applicant, Keywell, LLC, is requesting approval of a processing facility for recyclables on a site located in the MH (Manufacturing Heavy) zoning district. The subject property is located at 2250 East Dominguez Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to ADOPT the negative declaration; APPROVE Conditional Use Permit No. 875-11; and WAIVE further reading and ADOPT Resolution No. 11-2406, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 875-11 for a processing facility for heavy recyclables located at 2250 East Dominguez Street."

Ron Gostek, representing the applicant, noted his concurrence with the conditions of approval.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Vice-Chairman Gordon, to approve the applicant's request, thus adopting Resolution No. 11-2406. Motion carried, 8-0 (absent Commissioner Williams-departed Chambers).

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**11. PUBLIC HEARING**

**A) Conditional Use Permit No. 881-11 and Ordinance Amendment No.10-11**

Applicant's Request:

The applicant, Ken Porter Auctions, is requesting to permit Ken Porter automotive and equipment auction use on the former Don Kott automobile dealership property. A conditional use permit (CUP) is requested to permit a proposed automotive and equipment auction which is contingent upon City Council approval of the proposed ordinance amendment to conditionally allow automotive equipment auction uses as a primary use in the CA zoning district if frontage along Avalon Boulevard is provided. The subject properties are located at 21126, 21140, 21212 South Avalon Boulevard and 640 East 213<sup>th</sup> Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to APPROVE Conditional Use Permit No. 881-11, subject to the conditions of approval attached as Exhibit "B" to the Resolution; RECOMMEND approval of the proposed Ordinance Amendment to the City Council to permit automotive and equipment auctions as a primary use for those properties fronting Avalon Boulevard and within the CA (Commercial, Automotive) zoned district with an approved Conditional Use Permit; and WAIVE further reading and ADOPT Resolution No. 11-2407, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of an Ordinance

Amendment to the City Council to allow automotive and equipment auctions as a primary use for those properties fronting Avalon Boulevard and within the CA (Commercial, Automotive) zoning district, and approving Conditional Use Permit No. 881-11 to operate an automotive and equipment auction in the CA (Commercial, Automotive) zoning district subject to approval of the ordinance amendment for properties located 21126, 21140, 21212 South Avalon Boulevard and 640 E. 213<sup>th</sup> Street.

Chairman Faleto go opened the public hearing.

Mike Filonczuk, representing the applicant, explained that they will auction off all types of vehicles and equipment at this site; noted that the showroom will house collector cars; and that they auction off a unit every 30 seconds on the day of the event.

Ray Clairidge, applicant, stated that Ken Porter Auctions will be celebrating its 50<sup>th</sup> birthday next month, noting that he's owned the company for 13 years; stated they sell all types of vehicles and equipment, including those for many municipalities; explained that there will be a preview day and that the sales will take place on the third Saturday of each month; and advised that the majority of the units leave this site the day of sale.

Mr. Clairidge noted for Chairman Faleto go that they average 120-140 sales of public vehicles and approximately 150 equipment units at each sale event.

Mr. Clairidge noted for Commissioner Saenz that they may add up to 12 new employees and that they would prefer they are Carson residents; that there will be public parking in front of the Jeep & Mercury area but that the bulk of parking will be on 213<sup>th</sup> where they will be able to shuttle back and forth from that lot. He stated they average 80-120 people on preview days; and advised that the median price of the vehicles is \$3,000. He added that the residents will not be able to hear their public address system during the auctions; and advised that they do not sell any automotive parts and do not perform any repairs other than an occasional tire or windshield change.

Mr. Clairidge noted for Commissioner Schaefer that they do not own any of the vehicles, that they are taken on consignment only; and that they anticipate being able to start these activities in January 2012.

Cheryl Bloodworth, representative from Grubb & Ellis, commented on how difficult it has been to get this property leased and urged the Planning Commission to approve this request.

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

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Brimmer, to concur with staff recommendation, thus adopting Resolution No. 11-2407. Motion carried, 9-0.

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**11. PUBLIC HEARING**

**B) Design Overlay Review 1427-11; Conditional Use Permit No. 886-11 and Vesting Tract Map No. 71493**

Applicant's Request:

The applicant, Olson Urban Housing, LLC, is requesting approval of a design overlay review application, a conditional use permit and a tract map for a 12-unit affordable housing project on a site located in the RM-25-D (Residential Multiple Family-25 units

per acre-Design Overlay) zoning district. The subject site is located at 2535-2569 East Carson Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to APPROVE Design Overlay Review Application No. 1427-11, Conditional Use Permit No. 886-11, Vesting Tentative Tract Map No. 71493; and WAIVE further reading and ADOPT Resolution No. 11-2405, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Design Overlay Review No. 1427-11 to the Carson Redevelopment Agency and approving Conditional Use Permit No. 886-11 and Vesting Tentative Tract Map No. 71493 for a 12-unit affordable housing project located at 2535-2569 East Carson Street.

Chairman Faletogo opened the public hearing.

Alex Hernandez, representing Olson Urban Housing, LLC, stated that this will be a LEED certified building and provided a power point presentation of the plans for this affordable housing development.

John Rieshel, project manager, commented on the two community meetings they've had regarding this proposal, noting that as a result of the neighbors' concern with density, they decreased the number of proposed units to 12, noting it can easily accommodate 15 to 17 units. He mentioned that there were several meetings that also took place for rezoning this site. He added that as a result of reducing the number of units, they were able to increase the open space areas and adjoining setback to the residential area. He advised that there will be a 7-foot high perimeter wall and that there will be high privacy windows on the second story. He stated this will be work-force housing with an approximate price of \$230,000 and that each unit will have a 45-year deed restriction to maintain the affordability of these units. He noted his expectation that the work will begin winter 2012 and that they will hire local help.

Mr. Hernandez stated these are 100 percent affordable to moderate income households; and he stated that because Condition No. 63 is not typically done with these type projects, he would like to be afforded the opportunity to work with the Director of Redevelopment and the Planning Officer on any issues of concern with No. 63.

Mr. Rieshel noted that a curb cut will be installed on the other side of the pole, which will aid proper access to the neighboring tire business.

Vice-Chairman Gordon expressed his belief that Condition 63 is redundant if guidelines are already in place that provide the same benefit.

Senior Planner Signo explained that Condition No. 63 provides further protection for the project residents.

Traffic Engineer Garland explained that the traffic impact from this project will be negligible and noted that the nearby traffic signal will be upgraded to a four-way light.

Commissioner Brimmer expressed her concern with the potential for future traffic problems.

Ray Park, president of the Dominguez Area Homeowner's Association, expressed his concern there are too many units proposed for this small site; stated there will be 39

bedrooms; and that there is not enough parking for the number of residents who can live in these units. He stated that 10 units would be a more appropriate number of units for this small site. He addressed his concern with the high amount of redevelopment funding that will be used for this project; stated that there is not enough setback area to the existing residential area; and expressed his belief this project will have a negative financial impact on the home values in this area. He stated this housing project does not fit this site and that a different proposal for this site should have been made.

Redevelopment Manager Westbrook commented on the housing requirements for this City, noting this project will help to increase the number of affordable housing units available in Carson. He pointed out that the zoning on this site allows for twice as many units as is being proposed; and stated that because of the 45-year covenant for moderate income families, the redevelopment funds are necessary and appropriate. He noted his belief this project will help to increase the property values in the area.

Edward Henneson, resident, stated that the tire store access issue should be resolved; expressed his belief the proposed number of units is too many; that the proposed 7-foot wall is too high; and pointed out that there is a very high rate of pollution in this area and that another housing project should not be built this close to Alameda. He stated that the speed of traffic on this part of Carson Street is excessive and that it poses a safety issue; and expressed his concern with the residents not using their garages for parking their vehicles and using it instead for storage.

Vice-Chairman Gordon asked how a unit is defined.

Senior Planner Signo stated that a unit is defined by its code compliant floor plan and proposal of one kitchen.

City Attorney Wynder explained that the density is authorized by the zoning; that all structures must comply with codes; advised that this applicant has already downsized this project; and noted that a developer has a right to build an economically viable project, noting that decreasing the number of units even further might result in the developer withdrawing the proposal.

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

Commissioner Williams expressed his belief this is a good project; that he does not believe it will impact the traffic in the area; and stated that 36-inch crape myrtle trees should be installed instead of the 24-inch trees.

Commissioner Diaz expressed his concern with the deviations to the requirements for the setback areas and the 7-foot wall; and stated that consideration should be given to how each project impacts the entire city and not just the proposed neighborhood. He stated he will oppose this project because it does not meet code.

Commissioner Saenz commented on the need for compromise and flexibility; and stated this is a good project for Carson.

City Attorney Wynder stated that the homeowner's association will be responsible for making sure the garages are used for parking vehicles and not for storing junk and responsible for maintaining landscaping and other requirements.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Saenz, to concur with staff recommendation with the following changes: delete Condition No. 38 and renumber accordingly; amend Condition No. 17, "The subject trees shall be planted within three months from the date of *Certificate of Occupancy*"; amend Condition No. 58, "All air conditioners shall be *screened from public view*"; that the Director of Redevelopment and the Planning Officer be given the authority to work out the details of Condition No. 63 with the applicant; and moved to adopt Resolution No. 11-2405. Motion carried, 8-1, with Commissioner Diaz voting no.

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**11. PUBLIC HEARING****C) Consider amending the truck route system and the Circulation Element of the General Plan**Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission open the public hearing, take public testimony, close the public hearing, and direct staff to prepare a resolution regarding the truck route system citywide.

Staff Report and Recommendation:

Associate Planner Gonzalez and Traffic Engineer Garland presented staff report and the recommendation to OPEN the public hearing, TAKE public testimony, and CLOSE the public hearing; and TAKE one of the following actions: DIRECT staff to prepare a resolution to amend the truck route system and the General Plan Circulation Element; or DIRECT staff to prepare a resolution to maintain status quo regarding the truck route system.

Chairman Faleto go opened the public hearing.

Ray Park, president of the Dominguez Area Homeowner's Association and Vice-Chair of the Ad Hoc Safety Committee for the new high school, advised that there are 17,875 vehicle trips per day on Dominguez and Carson Streets; that there are 92 truck trips per hour on Santa Fe; and noted his concern with traffic safety and the environmental impacts in this area. He noted his support for S-3, *Eliminate the segment of Santa Fe Avenue between the south city boundary and El Presidio Street (or Dominguez Street) from the truck route system and add El Presidio Street (or Dominguez Street) between Santa Fe Avenue and Alameda Street to the truck route system.* He stated that more money should be given for traffic enforcement for the trucking activities.

Bill Lorenzen, representing Price Transfer, stated that if the truck route is altered, it will negatively impact over 1 million square feet of industrial businesses that routinely use Santa Fe as a direct route to the freeways. He addressed his concern that there is complete gridlock on Del Amo Boulevard at 3:00 p.m. and beyond, from Alameda to the 710 Freeway. He stated that Santa Fe provides a safe route for all; that two additional signal lights have been added because of the new school; and stated that this street is necessary for efficient and safe access to and from the 405 Freeway for these businesses. He added that Price Transfer employs 400-500 people, many who live in Carson; and he urged the City to leave the truck route as is.

Debra Mason, Bilson Street resident, stated that the truck traffic has created thousands of dollars of damage to her home and her neighbors' homes from the vibrations, noting

that her newly replaced windows are separating; stated that the trucks should be staying on the freeways until their last exit to service the businesses; and stated that the trucks are very loud and disruptive to sleep, damaging their ears and creating an overall health concern for the residents. She stated that the heavier trucks started to use this route once new truck route signs were erected; expressed her belief the road is not wide enough and the houses are too close to the road for this to be a truck route; and stated that these residents have a right to live there peacefully and without harm.

Robert Joy, Ashmill Street resident, stated that the back of his house is alongside Carson Street; advised that in the past 10 years, the truck traffic has increased along this roadway and that it has been damaging his house and property; and expressed his belief that these trucks should be using Alameda to get to and from the freeways. He stated that when the heavier trucks go by his house, it feels like an earthquake; and expressed his concern that his family is becoming desensitized to the rumbling and won't be prepared to take cover when a real earthquake takes place. He added that the truck traffic makes it hard to get a good night's sleep.

Todd Burnight, representing The Carson Companies, stated that The Carson Companies owns multiple buildings in the Dominguez Technology Center; and he urged the City to leave the truck route system as is. He explained that changing the routing on one street will only increase the impact to another street; that it will have a large negative impact on the efficiency of business activities and will increase the amount of fuel usage. He stated that they own a building on Victoria and that they need access to Victoria; and he noted his support of the City's General Plan as written, stating it is a reasonable and well-thought out plan. He added that the truck route functions well and keeps traffic congestion confined to the main arterials.

Lonnie Tabbaa, 101 West Victoria, urged the City to leave the truck route as is, noting that his truck stop business will be negatively impacted; and advised that this business has been operating well at this location for the past 30 years.

Hector Cruz, 771 Victoria, urged the City to leave the truck route as is, noting that changing the route will create a large hardship for their business.

Robert Riedel, Harrison Street resident, expressed his concern for traffic safety on Santa Fe; and stated that Alameda should be used by the trucks to maneuver to and from their businesses and the freeways.

Henry Chen, Prime Wheel owner, stated that he depends on this truck route system for the efficient movement of his trucks; and urged the City to leave the truck route as is.

Karl Meyers, representing Fed Ex Ground, advised that they use Victoria as their main arterial and stated it is very manageable; and he urged the City to leave the truck route as is.

Ms. Mason noted for Commissioner Brimmer that she is asking the City to completely eliminate the truck route from Victoria. She reiterated that the impacts were never this bad until the new signs were erected.

Mr. Burnight noted for Commissioner Verrett that most of the Dominguez Technology Center uses these routes for their business and that they use Victoria for their westbound traffic.

Commissioner Verrett asked why the Carson Companies can't move their trucking activity to Albertoni.

Mr. Burnight added that these buildings occupy a huge number of square footage; that they employ thousands of people; and that they are very concerned with pushing the truck route to another street and creating further problems.

Commissioner Verrett suggested the heaviest trucks use a different route, noting it's the heaviest trucks that are creating the problems.

Traffic Engineer Garland pointed out that there are two mobile home communities along Albertoni, noting this would only shift the problems to those residents; and that the trucks would have to take a more circuitous route to get to their destinations.

Commissioner Verrett stated that if the truck route were changed to Albertoni, it would not impact as many residents as it does now.

Commissioner Goolsby noted his opposition to shifting the problems to other areas and commented on the many years this truck route has been in place and the shorter number of years most of these homes have been in place. He stated that the cost of using extra fuel will likely be passed on to consumers.

In response to the Commission's inquiry, Traffic Engineer Garland stated that his main assignment as traffic engineer for the City is to do what's best to move vehicles, people and goods throughout the City in the most effective manner; and that his objective and recommendation would be to maintain the current truck routes.

Chairman Faletogo pointed out that everything being said this evening has been addressed at the prior hearings and that there has not been any new information presented that keeps these problems from being shifted to another area of the City, noting his opposition to transferring the problems to other residents. He stated that with the suggested improvements to the roadways in this area, such as rubberized asphalt, it should minimize the noise.

Vice-Chairman Gordon stated there are legitimate concerns by the residents and he questioned how best to improve this situation for these residents.

Traffic Engineer Garland pointed out that as long as Carson has industrial businesses, the City has to provide for their needs; and commented on the use of rubberized asphalt and/or increasing the height of the residents' perimeter walls.

Commissioner Diaz echoed the need to help the residents and he suggested that staff think outside the box to help alleviate the impacts to the residents.

Commissioner Williams expressed his belief this matter is a policy issue and that this matter should be dealt with by City Council, noting there is no solution that will please the entire community. He pointed out that because this area is so close to the ports, trucking is an important and necessary transportation function. He pointed out that trucks are allowed off the assigned truck route when they have a delivery. He mentioned that it takes a lot of money to handle vibration concerns.

Chairman Faletogo reiterated that he is opposed to shifting the problems to another residential area; urged staff to address more solutions to the vibrations; and he stated that the truck route should stay as is.

Commissioner Brimmer stated that the trucks should not be on Victoria between Central and Main if there are no businesses there. With regard to Santa Fe Avenue, she noted her support of S3, *Eliminate the segment of Santa Fe Avenue between the south city boundary and El Presidio Street (or Dominguez Street) from the truck route system and add El Presidio Street (or Dominguez Street) between Santa Fe Avenue and Alameda Street to the truck route system.*

Vice-Chairman Gordon stated that the entire network should be looked at, noting he is not in favor of shifting the problems in a piecemeal fashion; he pointed out that the trucking industry is here to stay, but stated he'd like to see more options for consideration; and that he'd like to see the full impacts to those new options if a change is imposed and how everyone will be impacted.

Commissioner Goolsby stated that the truck route should remain as is, expressing his belief there is no solution other than improvements to the streets.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Williams, to maintain the status quo of the truck route system. (This motion ultimately failed.)

Commissioner Verrett stated that more time is necessary to address the issues brought up by the residents, stating that this matter should be continued to allow staff more time to develop options for consideration.

Vice-Chairman Gordon pointed out that a lot of truck drivers drive on automatic pilot and that they are not typically looking every day for new signage on their typical routes, suggesting that if the routes are to be changed, the signage should be enlarged.

Commissioner Williams reiterated that this matter should be given to City Council for a decision.

The motion to maintain status quo failed as follows:

- AYES: Faletogo, Goolsby, Schaefer, Williams
- NOES: Brimmer, Diaz, Gordon, Saenz, Verrett
- ABSTAIN: None
- ABSENT: None

Commissioner Verrett moved, seconded by Vice-Chairman Gordon, to continue this matter for 90 days to allow staff more time to consider other alternatives and bring back recommended resolutions for consideration. This motion carried, 9-0.

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**12. NEW BUSINESS DISCUSSION** None.

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**13. WRITTEN COMMUNICATIONS** None.

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**14. MANAGER'S REPORT**

Update on City Council action(s):

- 1) Ordinance No. 11-1475 amending the Carson Municipal Code regarding the calculation for total allowable sign area and extending the display period for banners and other similar displays banners

Senior Planner Signo advised that City Council approved 120 days of banner display with a 30-day extension for grand openings, noting the second reading for the ordinance will be done at City Council's October 18<sup>th</sup> meeting and will become effective 30 days afterward.

Senior Planner Signo reminded the Commission of Planning Officer Repp's trip to Russia, expressing best wishes to her family.

Senior Planner Signo thanked and commended Associate Planner Gonzalez for his efforts with this evening's presentations.

City Attorney Wynder noted for Commissioner Brimmer that Assistant City Attorney Soltani has not yet had her baby.

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**15. COMMISSIONERS' REPORTS**

Chairman Faleto go thanked the Commission and staff for their efforts this evening.

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**16. ADJOURNMENT**

At 11:09 P.M., the meeting was formally adjourned to Tuesday, October 25, 2011, 6:30 P.M., City Council Chambers.

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Chairman

*Attest By:*

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*Secretary*