

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

April 24, 2012 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:34 P.M.
2. **PLEDGE OF ALLEGIANCE** Chairman Faletogo led the Salute to the Flag.
3. **ROLL CALL**

Planning Commissioners: Diaz, Faletogo, Goolsby, Gordon, Schaefer, Saenz, Verrett, Williams

Planning Commissioners Absent: Brimmer

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Song, Assistant Planner Castillo, 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 Schaefer, to approve the Agenda as submitted. Motion carried, 8-0 (absent Commissioner Brimmer).
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 Sunny Soltani
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes.
 - 1) William Davis, veteran and

employee at S.W. Suits, advised that business has dropped 40 percent since the City has required the removal of his signage; stated that he is likely to be out of this job if business does not pick up; and urged the City to treat the small businesses fairly, pointing out that the City allows more concessions for signage on larger businesses, such as IKEA.

9. CONSENT CALENDAR

Minutes: January 24, 2012; February 14, 2012

MOTION: Commissioner Diaz moved, seconded by Vice-Chairman Gordon, to approve the January 24, 2012, and the February 14, 2012, Minutes as presented. Motion carried (absent Commissioner Brimmer).

10. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 849-10 and Design Overlay Review No. 1397-10

Applicant's Request:

The applicant, Reliant Land Services, Inc., for T-Mobile, is requesting to construct an unmanned telecommunications facility designed as a 39-foot high, detached stealthed tower for T-Mobile in the CG-D (Commercial, General; Design Review) zone. The subject property is located at 117 East 223rd Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Design Overlay Review No. 1397-10 and Conditional Use Permit No. 849-10, subject to conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 12-2430, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1397-10 and Conditional Use Permit No. 849-10 for a major exception to build a 39-foot-high major communications facility disguised as a tower at 117 East 223rd Street."

Thomas Mundo, applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Commissioner Williams asked that staff meet with the property owner to address the parking situation on this site.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 12-2430. Motion carried, 8-0 (absent Commissioner Brimmer).

11. PUBLIC HEARING

A) Conditional Use Permit No. 823-10

Applicant's Request:

Staff is requesting the Planning Commission consider a revocation of Conditional Use Permit No. 823-10 for an auto repair business on a site located in the ML-D (Manufacturing, Light – Design Overlay) zoning district located at 20922 South Main Street. The applicant is Jacqueline Adame.

Associate Planner Song advised that as of today, the lifts have been taken down but are still on site. She noted for Chairman Faletogo that this property must comply with code even if the property owners do not sign the facility closure agreement.

Commissioner Verrett noted her concern with staff's recommendation for a revocation, noting this family business has made substantial effort to comply. She noted it was her intent to allow this operator to be in business until the end of the final date for the facility closure agreement.

Commissioner Schaefer asked for clarification on the revocation issue.

Planning Officer Repp explained the applicant has indicated that for financial reasons, she is not able to comply with the conditions for the CUP so it should no longer be valid; and noted that the facility closure agreement phases out the unauthorized uses.

Associate Planner Song stated that the auto repair use can still operate until October 2012 as long as they comply with code.

Commissioner Verrett urged the City to work with businesses during these difficult economic times. Commissioner Goolsby echoed this appeal.

Chairman Faletogo opened the public hearing.

Zeke Vidaurri, applicant's representative, stated that the lift has not been a safety issue for the past seven years it has been in use, and he urged the Commission to allow the applicant to continue to use the lift until she closes down, noting she needs the income to continue. He stated that the City should be doing all it can to keep businesses in Carson.

Associate Planner Song highlighted the list of nonconformities that need to be addressed before the next deadline of June 14th.

Chairman Faletogo questioned why this applicant would make any financial improvements to this site if she is being forced out October 2012.

Planning Officer Repp stated that the illegal structure must come down, noting there are no building permits; and she expressed her belief it is a minimal cost to remove the unsafe/unpermitted structure. She stated that the property owners will have to remove the structure if this applicant does not.

Jacqueline Adame, applicant, noted her understanding she'd be able to operate on site until October 2012 and to keep the lift in operation, though she advised that she did remove the lift today; and stated that when she leaves this property, she will remove the green canopy so the workers have shade. She stated that since she has removed the signage, her business is no longer recognizable from the street; and advised that the

street tree blocks her business, noting she has called the city to get it trimmed. She added that no one from the City has come out yet to trim the street tree.

Chairman Faletogo closed the public hearing.

Commissioner Schaefer stated that regardless of a bad economy, the City cannot allow unsafe conditions; and pointed out that staff is doing their job of enforcing the City's codes.

Commissioner Verrett stated that this business has been in operation for many years and that she believes the City is asking too much from this applicant; and she stated that Carson should be doing all it can to keep businesses from closing down especially during this poor economy. She urged denial of the revocation.

Commissioner Williams explained that City staff carries out and enforces policy set by City Council; and that one of the jobs of the Planning Commission is to help businesses comply with the rules of the City. He expressed his belief that staff has helped these Main Street businesses comply with code. He stated that the applicant will be able to continue with business without the use of the lift and noted that he will be supporting the revocation. He pointed out that Carson would still be full of junk yards if it hadn't improved and enforced its updated codes over the years.

Chairman Faletogo noted he is torn with the need to comply with code and the repeated efforts of enforcement with these small businesses that are financially struggling during this poor economy. He noted his disappointment with the property owners and their lack of support and willingness to help their tenant. He asked that staff do all it can to help this applicant out until she must vacate the business in October.

Planning Commission Decision:

Commissioner Schaefer moved, seconded by Commissioner Williams, to approve the revocation of Conditional Use Permit No. 823-10, thus adopting Resolution No. 12-2431. This motion ultimately carried.

By way of a substitute motion, Commissioner Goolsby moved, seconded by Commissioner Verrett, to revoke Conditional Use Permit No. 823-10, but not on the grounds the operations on site are unsafe. This motion was withdrawn.

Motion carried to approve the revocation, 5-3, as follows:

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

11. PUBLIC HEARING

B) Conditional Use Permit No. 892-11

Applicant's Request:

The applicant, Carol Kim, is requesting operation of an acupuncture and massage therapy use in a multi-tenant commercial building located in the CG-D (Commercial, General; Design Overlay) zone. The subject property is located at 1822 East Carson Street.

Staff Recommendation:

Continue to May 22, 2012.

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Without objection, Chairman Faletogo continued this matter to the May 22, 2012, Planning Commission meeting (absent Commissioner Brimmer).

11. PUBLIC HEARING

C) Ordinance Amendment No. 12-1488

Applicant's Request:

The applicant, John Cataldo & Associates, is requesting to consider an ordinance amendment to permit indoor team training facilities within the commercial and industrial zoning districts and provide minimum parking requirements for properties citywide.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to WAIVE further reading and RECOMMEND APPROVAL of Resolution No. 12-2432, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of an ordinance to amend the Carson Municipal Code by adding to Section 9131.1 -- Uses Permitted, Section 9162.21 -- Parking Spaces Required, and adding Sections 9191.280, 9191.303, 9191.460 in regards to indoor team training facility."

Chairman Faletogo opened the public hearing.

David Dennis, applicant's representative, stated that this program works with 6- to 18-year-olds who are typically carpooled to this facility; explained that the building needs a 24-foot ceiling clearance for the volleyball club; and he noted for Chairman Faletogo that they do provide a sitting area for the parents who wish to wait for their children.

Mr. Mosara, applicant's representative, stated that they agree with the parking ratios. He noted for Commissioner Schaefer that they do training only, no tournaments.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Williams, to approve staff recommendation, thus adopting Resolution No. 12-2432. Motion carried, 8-0 (absent Commissioner Brimmer).

11. PUBLIC HEARING

D) General Plan Amendment 90-12, Conditional Use Permit No. 897-12

Applicant's Request:

The applicant, Yaara E. Siler, Gordon & Rees, LLP, is requesting to amend the General Plan Land Use Element and change the land use designation from Regional Commercial to Light Industrial and to permit the operation of a daycare and overnight boarding facility for 96 dogs within an existing building. The subject property is located at 22251 South Wilmington Avenue and Assessor Parcel Nos. 7315039802, 7315039910.

Staff Report and Recommendation:

Associate Planner Naaseh reviewed staff report and the recommendation to APPROVE Conditional Use Permit No. 897-12, subject to the conditions of approval attached as Exhibit "B" to the Resolution; RECOMMEND approval of proposed General Plan Amendment No. 90-12, changing the land use designation from Regional Commercial to Light Industrial for the property located at 22251 South Wilmington Avenue and Assessor Parcel Nos. 7315039802 and 7315039910; and WAIVE further reading and ADOPT Resolution No. 12-2433, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council General Plan Amendment No. 90-12, changing the land use designation from Regional Commercial to Light Industrial for 22251 South Wilmington Avenue and Assessor Parcel Nos. 7315039802 and 7315039910 and approving Conditional Use Permit No. 897-12 to permit the operation of the daycare and overnight boarding facility for dogs within an existing building located at 22251 South Wilmington Avenue."

Associate Planner Naaseh highlighted the following change to Condition No. 22: "The property owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights in the public right of way. The annexation shall be to the satisfaction of L.A. County. Prior to the issuance of Certificate of Occupancy, the property owner shall provide evidence to the city of Carson that it has submitted an application for annexation to L.A. County and agrees to consent and not protest the annexation. Contact LACDPW Traffic Lighting Joaquin Herrera at (626) 300-4770."

Chairman Faletogo opened the public hearing.

Michael Rider, applicant's representative, noted his concurrence with the conditions of approval; and he stated this facility will be well-equipped and have a veterinarian on call at all hours/days. He stated that they anticipate 50-percent occupancy, noting that they will be able to house 96 dogs. He added that all activities will be indoors and that there will be double security doors to keep the dogs from escaping outside. He noted his concurrence with the change to Condition No. 22. He noted for Chairman Faletogo that the dogs will be able to play all day but will be put in kennels at night; advised that the staff will be properly trained; and mentioned that dog grooming will be offered.

Associate Planner Naaseh noted for Chairman Faletogo that this facility is open 24 hours a days, 7 days a week; and stated that Petco has two similar facilities in California.

Commissioner Williams encouraged the applicant to check on whether there is a good ventilation system for this building.

Commissioner Verrett asked if there will be cameras.

Mr. Rider stated that he did not know, but added that there will be plenty of staff on the premises, more during the day; and added that the play area will be supervised.

Yaara Siler, applicant's representative, stated that all the larger suites have webcams; that all the kennels are enclosed with glass; and stated that their facilities are visually appealing.

Ms. Siler noted for Commissioner Goolsby that there will be 5 to 8 people on site every day, and that at least one staff member will be on site over night; and that a veterinarian will be on call at all hours.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Vice-Chairman Gordon, to approve staff recommendation; moved to amend Condition No. 22, "The property owner shall annex the area to the L.A. County Lighting Maintenance District for the purpose of operating and maintaining the streetlights in the public right of way. The annexation shall be to the satisfaction of L.A. County. Prior to the issuance of Certificate of Occupancy, the property owner shall provide evidence to the city of Carson that it has submitted an application for annexation to L.A. County and agrees to consent and not protest the annexation. Contact LACDPW Traffic Lighting Joaquin Herrera at (626) 300-4770"; and moved to adopt Resolution No. 12-2433. Motion carried, 8-0 (absent Commissioner Brimmer).

12. WRITTEN COMMUNICATIONS None

13. MANAGER'S REPORT

- Annual review of the Boulevards at South Bay Development Agreement and consideration of establishing a community facilities district for public improvements

Planning Officer Repp stated that City Council approved the annual review and noted this project is moving forward in a productive manner.

14. COMMISSIONERS' REPORTS

Addressing Commissioner Schaefer's inquiry regarding the Ken Porter Auction signage, Planning Officer Repp stated that the pre-existing signage is permitted for the next five years, with the exception of the electronic board. Planning Officer Repp mentioned that they had their grand opening celebration last week; and advised that Back in the Day will open in approximately a month.

Commissioner Williams happily announced that the median barrier has been erected along Del Amo Boulevard.

Commissioner Diaz advised that mature trees had been removed at the former Cal Water site, taking away the residents' privacy screening, and he asked that the residents be kept informed of all changes that will be taking place on this site.

Senior Planner Signo advised that staff has met with the property owner's representative from California Water Service and has encouraged them to plant screening/privacy materials for the neighbors' benefit.

Planning Officer Repp advised that their plans are conceptual at this point and stated that staff has advised the property owners that they need to meet with the residents to address their plans for this site.

Commissioner Verrett stated there will be a Senior Scam Stopper workshop on April 26, 2012, from 4:00 P.M. to 6:00 P.M. at 603 East University Drive, Suite D, in Carson.

Chairman Faletogo welcomed Commissioner Goolsby back to the Planning Commission meetings and thanked staff for this evening's reports.

15. ADJOURNMENT

At 8:40 P.M. the meeting was formally adjourned to Tuesday, May 8, 2012, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary