

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

September 24, 2013 – 6:30 P.M.

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

Planning Commissioners Present: Brimmer, Diaz, Faletogo, Goolsby, Gordon, Piñon, Schaefer, Saenz, Verrett

Alternate Planning Commissioners Present: Akametalu

Planning Commissioners Absent: None

Planning Commissioners Departed Early: Commissioner Brimmer departed the meeting prior to Manager's Report

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, 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 Saenz moved, seconded by Commissioner Gordon, to approve the Agenda as submitted. Motion carried, 9-0.
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 Soltani
- 8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.
- 9. **CONSENT CALENDAR**
 - A) **Minutes:** August 13, 2013

Chairman Faleto go moved, seconded by Vice-Chair Verrett, to approve the August 13, 2013, Minutes as presented. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION (intentionally taken out of agenda order)

ck **A) Presentation on the Revised Development Plan for The Boulevards at South Bay Project**

John Gebhardt presented an overview/status report on this project; he noted that the interest/offers from businesses have been very good; and he advised that there were no problems with the placement of the liner, pointing out it was a well-planned project.

Dr. Rita Boggs, resident, urged the City to make sure the developer has done all they can to secure the safety of the residents who will eventually live on this site and the adjacent mobile home residents, pointing out her concern with the explosive nature of methane gas.

Mr. Gebhardt assured the Commission that they have taken the methane gas issue very seriously, complying with all regulatory agencies and putting in place the highest technical standards available in today's industry.

Commissioner Brimmer suggested the developer create a project fact sheet to be available at City Hall, noting her interest in ongoing outreach efforts to the community.

Planning Officer Repp pointed out that there is a requirement for extensive community outreach on this project, noting another community meeting will take place at the appropriate time closer to the commencement of construction.

Commissioner Schaefer advised that she lives in a nearby mobilehome park and stated that in her experience, the outreach efforts have been more than satisfactory; and stated she feels safer with the methane gas now that this site is being developed and the methane gas being closely monitored and extracted.

Mr. Gebhardt advised that their website has extensive information on this project and stated they could provide a fact sheet for City Hall visitors.

Dr. Boggs suggested the City require that insurance be put in place in case of a future methane gas explosion, noting she is mostly concerned with those people who will be living in the multi-family housing on Cell No. 1.

Without objection, this report was received and filed.

10. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 938-13

Applicant's Request:

The applicant, Walter Tucker III, is requesting to consider approval of a shared parking conditional use permit to allow a church use on a site zoned ML-D (Manufacturing, Light, Design Overlay Review) and located at 1129 East Dominguez Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 13-2493, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 938-13 for shared parking to allow a church use on a site zoned ML-D (Manufacturing, Light-Design Overlay). He noted for Chairman Faletogo that there will be no overlap in hours of operation for these churches in this center.

Chairman Faletogo opened the public hearing.

Walter Tucker III, pastor, stated these are all small churches in this center and that there will be ample parking for all; and he noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Gordon moved, seconded by Commissioner Schaefer, to concur with staff recommendation, thus adopting Resolution No. 13-2493. Motion carried, 9-0.

11. PUBLIC HEARING

A) Conditional Use Permit No. 931-13

Applicant's Request:

The applicants, Norberto Lopez and Rosa M. Alvarez, are requesting to approve a conditional use permit for a second dwelling located within the RS (Residential, Single-Family) zoned district, 2624 East Madison Street.

Staff Recommendation:

Associate Planner Gonzalez stated this item will be continued to the Planning Commission's October 22nd meeting, noting there are some structural issues that need further attention.

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Without objection, this matter was continued to the October 22, 2013, Planning Commission meeting.

11. PUBLIC HEARING

B) Design Overlay Review No. 1497-13

Applicant's Request:

The applicant, Ignacio Sanchez, is requesting to construct a new 668-square-foot, one-story addition and detached, two-car garage to an existing single-family home on a 46-foot wide lot in the RS (Residential, Single-Family) zone. The subject property is located at 22527 Moneta Avenue.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 13-2494, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1497-13 for the construction of an addition and a detached two-car garage to an existing single-family home on a 46-foot wide lot located at 22527 Moneta Avenue."

Chairman Faletogo opened the public hearing. There being no applicant present or audience input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Vice-Chair Verrett, to concur with staff recommendation, thus adopting Resolution No. 13-2494. Motion carried, 9-0.

11. PUBLIC HEARING

**C) Design Overlay Review No. 1494-13, Modification No. 12
to Design Overlay Review No. 831-03**

Applicant's Request:

The applicant, VCG SouthBay Pavilion, LLC, is requesting construction of a 57,352-square-foot, 14-screen movie theater which requires demolition of 41,433 square feet of existing mall space and a modification to the SouthBay Pavilion sign program (SPG No. 8-11). The subject property is located at 20700 South Avalon Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to CONTINUE Modification No. 12 to Design Overlay Review No. 831-03 to a date uncertain to allow the applicant to revise the sign program; APPROVE Design Overlay Review No. 1494-13 for the movie theater building subject to the conditions attached as Exhibit "B" to the

Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2495, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1494-13 for a movie theater at the SouthBay Pavilion located at 20700 South Avalon Boulevard."

Senior Planner Signo explained for Chairman Faletogo that the entrance to the theater will be from inside the mall; and noted that the mall stores will close at their normal hours and that security will be on site during later hours.

Senior Planner Signo noted for Commissioner Gordon that the requested 10-foot blade sign for Chuck E. Cheese's does not conform to the center's sign program, noting a recent change was made to increase the height up to 7 feet for the Chuck E. Cheese's mouse mascot. He commented further on the new and still developing fair share security program at the mall.

Commissioner Schaefer expressed her belief that more directional signage is necessary to make sure people clearly understand how to get into the theater.

Commissioner Brimmer expressed her opinion that there are too many colors being proposed for the building exterior; suggested a police substation be located inside the mall; and questioned what community benefit there will be to the residents and/or students.

Planning Officer Repp commented on the still developing plans for the fair share security program and increased mall security.

Chairman Faletogo opened the public hearing.

Jerry Garner, representing Vintage Real Estate, highlighted the request by Chuck E. Cheese's for a 10-foot mouse logo; explained that having the theater patrons walk through the front entrance of the mall should increase sales by approximately 18 percent; stated that the proposed colors are Cinemark's corporate colors; and advised that the back wall will have display posters showing coming attractions, and trellises will be installed. Mr. Garner asked that the following conditions be modified or deleted:

Condition No. 23: delete the requirement for decorative concrete along Leapwood Avenue, noting it has little impact upon the project and is costly, adding it is also on J.C. Penney's parcel.

Condition No. 27: delete, advising that the lighting has already been upgraded.

Condition No. 36: agreed to slurry patch and restripe, but concerned with the City requiring they redo the entire parking field; and that they do not believe it is necessary to remove any lights or planter wells in the parking field.

Condition No. 37: stated that the existing 20-year-old trees are in great condition and beautiful, noting his opposition to tearing them out; and stated they are also on J.C. Penney's parcel.

Condition No. 70: stated the CC&R's requirement is not necessary because of the existing real estate agreement already in place.

Condition No. 72: advised that the sidewalks were improved in 2005, but noted they plan to repair tree root damaged areas.

Planning Officer Repp stated that Condition No. 23 is a policy decision that the Planning Commission may consider a compromise.

Senior Planner Signo explained that staff is only requesting the dead trees be removed and that the parking field be repaired where necessary.

Mr. Garner stated they are prepared to repair the entire parking lot after construction, noting they can also add trees to the area closest to the new theater. He reiterated that Chuck E. Cheese's is seeking a 10-foot mouse logo that can be easily seen from Avalon Boulevard, noting they will only support a larger logo request from this tenant; and that a theater pylon sign is being requested near Tony Roma's.

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

Commissioner Brimmer noted her concern with setting a precedent in deviating from the sign program.

Commissioner Schaefer expressed her belief this is a unique situation, having been asked to relocate their business because of the theater.

Planning Commission Decision:

Commissioner Brimmer moved, seconded by Commissioner Schaefer, to concur with staff recommendation with the following changes: Condition No. 23, delete Leapwood Avenue and replace with Del Amo Boulevard; Condition No. 27, add "Onsite **existing** lighting..." and at the end of that paragraph, add "New lighting shall meet Carson Municipal Code requirements"; amend Condition No. 36, "**Prior to Certificate of Occupancy for the theater**, improvements to the parking area, **which include slurry seal, repair of cracks, and painting and striping** between the..."; amend Condition No. 37, "A landscape plan **that includes the addition of up to 20 trees in the J.C. Penney parking area** shall be...The landscape plan shall be submitted to the Planning Division prior to issuance of a **theater Certificate of Occupancy**"; Condition No. 38, delete the first sentence, "~~Signage is not approved at this time~~"; amend Condition No. 70, "**Upon review of the Reciprocal Easement Agreement, if drainage is adequately addressed to the satisfaction of staff, no CC&R's are required**"; and to approve revisions to the sign program to allow the Chuck E. Cheese's mouse logo to be 10 feet, to allow the blade sign for Chuck E. Cheese's as proposed and to authorize in concept a pylon sign along Avalon Boulevard for use by the theater subject to final approval as to location and design. Motion carried, 8-1, with Commission Diaz voting no. Resolution No. 13-2495.

11. PUBLIC HEARING

**D) Conditional Use Permit No. 940-13 and Relocation
Review No. 3047-13**

Applicant's Request:

The applicant, Enterprise Rent-A-Car, is requesting the Planning Commission recommend to City Council approval of development on an organic refuse landfill site and approval of a relocation permit for modular office buildings on a site zoned ML-ORL-D (Manufacturing, Light, Organic Refuse Landfill-Design Overlay). The subject site is located at 20151 South Main Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to adopt the Categorical Exemption for said project; and WAIVE further reading and ADOPT Resolution No. 13-2496, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of Conditional Use Permit No. 940-13 to permit development on an organic refuse landfill site and approving Relocation Review No. 3047-13 for modular office buildings for an enterprise Rent-A-Car regional storage hub use to be located at 20151 South Main Street."

Chairman Faletogo opened the public hearing.

Robert Atkinson, applicant's representative, stated this property has been held in family trust for a long time and that they are seeking a 5-year use for this proposal with the potential for extension of time; and stated they would prefer to use a combination of chain link and wooden fencing covered by vines, noting they will repair any dilapidated fencing. He stated that the Los Angeles Water and Power Company owns the frontage on Figueroa Street and one side.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Chairman Faletogo, to concur with staff recommendation with the following changes: add at the end of Condition No. 2, **And shall demonstrate that the owner is working with the appropriate regulatory agency to conduct a remedial investigation and to prepare a Remedial Action Plan that supports future development**"; Condition No. 30, delete A and B and add, **"Concrete or asphaltic concrete in a minimum paving and base thickness that shall be determined by an on-site pavement study completed by a licensed soils or civil engineer approved by the Public Works Director"**; Condition No. 17, "The existing wooden fence is in disrepair and shall be **repaired or** replaced..."; and adopted Resolution No. 13-2496. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION (12A considered out of agenda order)

B) Workshop on fences

Applicant's Request:

The city of Carson is requesting the Planning Commission discuss and consider issues dealing with chain-link fencing and nonconforming front yard fence height for properties citywide.

Staff Report and Recommendation:

Recommendation to CONSIDER and DISCUSS the information provided for in this workshop; DIRECT staff to prepare an ordinance amendment.

Planning Commission Decision:

Due to the late hour, this matter was continued to a future Planning Commission meeting. Planning Officer Repp noted that a public hearing process would be initiated in order to move this issue forward and noted that the Mayor had expressed an interest in the matter being addressed.

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

Planning Officer Repp noted for Commissioner Saenz that Kellogg's does have a current business license on record; and she provided a status report on the Carousel tract activities.

15. COMMISSIONERS' REPORTS

Commissioner Piñon stated he attended the West Nile Virus forum, noting there is an educational bug mobile that visits schools.

Commissioner Diaz stated he attended the first Active Transportation Plan, Healthy Eating Active Living (HEAL) Community Advisory Board meeting.

Commissioner Schaefer stated she is very pleased with the theater coming to the South Bay Pavilion.

Commissioner Saenz stated that some residents would like to see a faster cleanup of the businesses along Main Street near Torrance Boulevard.

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

At 10:17 P.M. the meeting was formally adjourned to Tuesday, October 8, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary