

MINUTES

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

**701 East Carson Street, Second Floor
Carson, CA 90745
April 8, 2014 – 6:30 P.M.**

- 1. CALL TO ORDER**

Chairman Faletogo called the meeting to order at 6:33 P.M.
- 2. PLEDGE OF ALLEGIANCE**

Commissioner Gordon led the Salute to the Flag.
- 3. ROLL CALL**

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

*(Commissioner Brimmer arrived just after roll call.)

Planning Staff Present: Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Naaseh, Planning Technician Alexander, Recording Secretary Bothe
- 4. AGENDA POSTING CERTIFICATION**

Recording Secretary Bothe indicated that all posting requirements had been met.
- 5. AGENDA APPROVAL**

Commissioner Diaz asked that Agenda Item Nos. 10A and 10B be included under the vote to consider the Consent Calendar items, noting they are receive/file matters. Commissioner Gordon seconded the motion. 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: March 12, 2014

MOTION: Chairman Faleto go moved, seconded by Commissioner Diaz, to approve the March 12, 2014, Minutes as presented. Motion carried, 9-0.

9. NEW BUSINESS CONSENT

B) Modification No. 1 to Design Overlay No. 613-95

Applicant's Request:

The applicant, Thomas Safran & Associates, is requesting to approve a new screen wall for an outdoor dining area located at the Villaggio development in the MU-CS (Mixed-Use Carson Street) zoning district. The subject property is located at 531 East Carson Street, Suite A.

Staff Recommendation:

APPROVE Modification No. 1 to Design Overlay No. 613-95, and WAIVE further reading and ADOPT a minute resolution to Resolution No. 95-1601.

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Brimmer, to approve the applicant's request, approving a change to Resolution No. 95-1601. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION (This item to be taken out of order due to continuance.)

A) Modification No. 1 to Conditional Use Permit No. 370-90 and Modification No. 1 to Design Overlay Review 529-90

Applicant's Request:

The applicant, Christine Song, Zoning Manager for CORE Development Services, is requesting removal and replacement of one antenna per sector for a total of three (3) antennas, relocating and re-using three (3) existing antennas per sector for a total of nine (9) antennas, and adding twelve (12) new RRUs on an existing legal non-conforming 60'-high mono-pole on a property located in the CG (Commercial, General) zone. The subject property is located at 22025 South Figueroa Street.

Staff Recommendation:

Continue to May 27, 2014.

Planning Commission Decision:

Chairman Faleto go ordered, without objection, to continue this matter to May 27, 2014.

10. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 931-13

Applicant's Request:

The applicants, Norberto Lopez and Rosa M. Alvarez, are withdrawing the conditional use permit for a second dwelling located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2624 East Madison Street.

Staff Recommendation:

Receive and file.

Planning Commission Decision:

Chairman Faletogo ordered, without objection, to receive/file this matter.

10. CONTINUED PUBLIC HEARING

**B) Conditional Use Permit No. 952-13 and Relocation
Permit No. 3048-14**

Applicant's Request:

The applicant, South-Bay Carson, LLC, is withdrawing the request for development of an organic refuse landfill site, including the relocation of modular office buildings, for operation of a vehicle processing center for military personnel on a site zoned ML-ORL-D. The subject property is located at 20151 South Main Street.

Staff Recommendation:

Receive and file.

Planning Commission Decision:

Chairman Faletogo ordered, without objection, to receive/file this matter.

11. PUBLIC HEARING

A) Design Overlay No. 1519-13

Applicant's Request:

The applicant, AT&T, is requesting to approve modification of an existing roof-mounted wireless communications facility and related equipment located in the ML (Manufacturing, Light) zoning district. The subject property is located at 1533 East Del Amo Boulevard.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to APPROVE Design Overlay No. 1519-13, subject to conditions of approval attached as

Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 14-2512, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1519-13 to permit modification of an existing roof-mounted communications facility on a property located at 1533 East Del Amo Boulevard."

Commissioner Diaz noted his concern with the distance in some cases being less than 50 feet from the homes to this facility, addressing his concerns with exposure from the operations of this facility.

Planning Technician Alexander explained that the FCC regulations are being complied with and added that the residents will not be impacted by any noise from this facility. She added that the applicant has found this site to be the most appropriate, noting that relocating it to another building will still have the same impact to any resident in this neighborhood. She commented on the need for more effective cell phone coverage in this area; she stated that Cal OSHA has indicated there are no adverse effects from these operations; and stated that the certification can be found in staff report.

Vice-Chair Verrett stated she is concerned with the visual impact and any interference it may have on the residential area.

Chairman Faletogo opened the public hearing.

Gary Cassel, representing the applicant, noted his concurrence with the conditions of approval. He explained that this is the best location for this facility because of the existing equipment and because of the lack of coverage in this area they are experiencing; explained that 90 percent of the facility coverage shoots out over the houses, noting that spectrum goes even higher as it shoots farther outward; and he stated that the liability is on the company, assuring the Commission that AT&T does not want any problems and will do everything they can to not have any issues of concern. He explained that this location is the safest as indicated in the structural analysis that was prepared for this building. He added that AT&T is guided by all FCC regulations for interference and that they will deal with any interference issue that comes up with regard to their operations.

Dr. Barbara Palmer, 1520 Cyrene Drive, stated that this building is 43 feet from some homes, noting that some of those homes are two stories; asked how the residents will be impacted from these operations; and asked if there are any health concerns they need to be concerned about.

Mr. Cassel reiterated the guidelines that need to be strictly adhered to and AT&T's responsibility for addressing any interference issues that may arise from these operations.

Dr. Palmer stated she wants assurances there will be no effects from RFID emissions, that the environmental issues have been addressed, and that the close proximity to the homes is not a health issue of concern for the residents.

Planning Technician Alexander noted for Dr. Palmer that the analyses/certification documents she is seeking are in staff report.

Mr. Cassel stated that AT&T has received numerous complaints with the lack of coverage in this area, therefore the need for new sites; and explained they can only use power that is approved by the FCC in order for this third sector to work efficiently.

Dr. Palmer noted for Commissioner Brimmer that she received notice of this project from the City on March 24th.

Vice-Chair Verrett highlighted Page 3 of staff report, third paragraph, where it indicates "The ordinance provides administrative design review for stealth building and roof-mounted facilities that are not located within 100 feet of a residential zone. The proposed modification to install a third facility at the rear of the building is located less than 50 feet from the adjacent residential tract. As such, a design overlay review is required"; and asked why it is being permitted if it's less than 100 feet from the residential area.

Planning Technician Alexander explained that if this facility were 100 feet or more away from residential, the code would allow administrative/over-the-counter review only, but because it is less than 100 feet in some cases, it requires a design overlay review, closer scrutiny; but stated it is a permitted use with this decreased length from the homes.

Senior Planner Signo stated that the ordinance was first drafted around 2002, and the 100-foot guideline was to address the aesthetics related to the neighbors of these wireless communication facilities. He added that these facilities are permitted to be less than 100 feet from homes; and he confirmed that the applicant's studies show this is the best location for their new facility.

Mr. Cassel reiterated that if it isn't this location, it will be one just down the road near another home in this neighborhood because the buildings in this stretch are all adjacent to this residential area.

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

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Gordon, to concur with staff recommendation. (This motion ultimately carried.)

By way of a substitute motion, Commissioner Brimmer moved, seconded by Vice-Chair Verrett, to continue this matter, directing the applicant to meet with the residents to discuss their project. (This motion ultimately failed.)

Vice-Chair Verrett stated that the residents should review the technical paperwork and have their questions answered before the Commission takes action.

Commissioner Goolsby stated that he believes Dr. Palmer's questions have been addressed this evening and that she appears to be satisfied with the responses.

Chairman Faletogo stated that the concerns raised were legitimate concerns, but expressed his belief that those concerns have been adequately addressed; stated that the applicant has indicated the residents will not be affected due to their proximity; and that the applicant has assured everyone that if any problem results from this facility, it will be addressed by AT&T. He stated that the design is aesthetically pleasing and matches the architecture of this building.

Commissioner Saenz stated that the Commission has approved many of these facilities, noting his confusion with the lengthy discussion this evening with this routine item.

Chairman Faletogo thanked Dr. Palmer for attending this meeting and addressing her concerns for the neighborhood.

Commissioner Gordon stated that Dr. Palmer appears to be satisfied with the responses to her inquiries this evening.

The substitute motion failed as follows:

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

The motion to approve the applicant's request, thus adopting Resolution No. 14-2512, carried as follows:

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

11. PUBLIC HEARING

B) Conditional Use Permit No. 948-13

Property Owner/Applicant:

The applicant, Elliot Lewis, is requesting to approve a conditional use permit for an existing second dwelling unit located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2739-2739½ East Monroe Street.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to APPROVE Conditional Use Permit No. 948-13 subject to the conditions of approval attached as Exhibit "B" to the Resolution; WAIVE further reading and ADOPT Resolution No. 14-2513, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 948-13 for an existing second dwelling unit for a property located at 2739-2739½ East Monroe Street."

Chairman Faletogo opened the public hearing.

Elliot Lewis, 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 Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 14-2513. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION

B) Modification No. 1 to Design Overlay Review No. 360-86 and Conditional Use Permit No. 914-12

Applicant's Request:

The applicant, Les Cooley, updated the Commission on the status of this approved project for 417 and 433 West 164th Street, Coast Plating.

Staff Report and Recommendation:

Associate Planner Naaseh presented staff report and the recommendation to receive and file.

Les Cooley, applicant's representative, noted that this project is currently going through the L.A. County plan check process; advised that the company merged with another; explained that they are still a year away from obtaining lighting standard approval from the County, noting that L.A. County does not yet have any lighting standards for this area. He added that they will erect a prefab metal building because there is not enough room on this site for a full construction process.

Planning Commission Decision:

Chairman Faletogo ordered, without objection, this report received and filed.

12. NEW BUSINESS DISCUSSION

C) Energy Efficiency Climate Action Plan

Applicant's Request:

The applicant, city of Carson, Planning Division, presented the Energy Efficiency Climate Action Plan.

The Planning Commission requested periodic updates on this plan.

Staff Report and Recommendation:

Associate Planner Naaseh presented staff report and the recommendation to receive and file.

Planning Commission Decision:

Chairman Faletogo ordered, without objection, this report received and filed.

13. WRITTEN COMMUNICATIONS	None
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14. MANAGER'S REPORT

Senior Planner Signo reminded the Commissioners to submit their Form 700's.

Senior Planner Signo noted that the City Council's April 15th meeting is cancelled and that they will meet next on Tuesday, April 29th to discuss a moratorium on new oil well drillings. He added that the Schlotzsky's Deli item will go before City Council on May 6th. He briefly commented on some of the items that will be on the next Planning Commission agendas.

15. COMMISSIONERS' REPORTS

Commissioner Piñon stated he attended the Environmental Commission meeting last week to listen to the presentation by the South Bay COG on the Energy Efficiency Climate Action Plan, noting his appreciation of Associate Planner Naaseh for presenting this important topic to the Planning Commission this evening.

Vice-Chair Verrett asked if suggested items by Commissioner Saenz for discussion at the prior Planning Commission meeting are planned for future agendas.

Commissioner Saenz stated the items he suggested to be agendized were a code to restrict building colors on businesses and to send a resolution to City Council to change the zone to commercial/industrial on the former Fletcher Oil field property.

Senior Planner Signo mentioned that the Sanitation District challenged the City's EIR on this property a while back, pointing out that the Sanitation District is interested in keeping the property as it is and using it as a buffer area from the company's operations. No input was given by the rest of the Commission.

Commissioner Schaefer thanked staff for their excellent reports this evening.

Commissioner Saenz noted his dissatisfaction with the new cell tower antenna on Figueroa Street and 228th Street.

Planning Technician Alexander stated that the cell tower facility looks very nice and expressed her belief Commissioner Saenz must have viewed this facility before its completion.

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

At 9:05 P.M., the meeting was formally adjourned to Tuesday, April 22, 2014, 6:30 P.M., Helen Kawagoe City Council Chambers.

Chairman

Attest By:

Secretary