

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

June 10, 2014 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faleto go called the meeting to order at 6:33 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Piñon led the Salute to the Flag.
3. **ROLL CALL**
Planning Commissioners Present: Brimmer, Diaz, Faleto go, Goolsby, Gordon, Piñon, Schaefer, Saenz, Verrett

Planning Staff Present: Acting Planning Manager Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Associate Planner Naaseh, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Gordon moved, seconded by Commissioner Saenz, to approve the Agenda as submitted. Motion carried, 9-0.
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 Soltani
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None
9. **CONSENT CALENDAR**
A) **Minutes:** April 8, 2014; April 22, 2014; May 13, 2014

Chairman Faleto go moved, seconded by Vice-Chair Verrett, to approve the April 8, 2014, April 22, 2014, and May 13, 2014, Minutes as presented. Motion carried, 9-0.

10. CONTINUED PUBLIC HEARING None

11. PUBLIC HEARING

A) Design Overlay Review No. 1533-14

Applicant's Request:

The applicant, Randall Jepson, PJ Partnership, is requesting to construct a 39,785-square-foot tilt-up industrial building located on a 2.15-acre parcel in the ML-D zone. The property is located at 19130 S. Figueroa Street (APN 7339016003).

Staff Recommendation:

Associate Planner Naaseh presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 14-2517, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1533-14 to allow construction of a 39,785-square-foot tilt-up industrial building located on a 2.15-acre parcel at 19130 S. Figueroa Street (APN 7339016003)."

Chairman Faletogo opened the public hearing.

Randall Jepson, applicant's representative, noted his concurrence with the conditions of approval.

Shannon Podzimer, 19130 S. Figueroa, asked if this property is safe to live on; and asked why the cell tower on site has been decommissioned.

Associate Planner Naaseh advised that there is someone living in an RV parked on site, noting they have not been given permission to do so according to the property owner. He added that Nextel is the owner of the cell tower and that he does not know whether it is in operation or not. He added that because this is an industrial property, there should not be anyone living on site; and he noted that this site will be cleaned up as the applicant goes through the permit process.

Assistant City Attorney Soltani stated that the issue with the people living on site is a private issue between the property owner and the people living on site; and she suggested the following language be added to the conditions of approval: "To the extent that the property owner is aware of an illegal residential use on the property, which does not allow for any residential use, prior to receiving any of the permits or any of the approvals from the City, they will immediately evict the use whether it's legal or illegal."

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

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Brimmer, to approve the applicant's request; to add a condition, "To the extent that the property owner is aware of an illegal residential use on the property, which does not allow for any residential use, prior to receiving any of the permits or any of the approvals from the City, they will

immediately evict the use whether it's legal or illegal"; and moved to adopt Resolution No. 14-2517. Motion carried, 9-0.

11. PUBLIC HEARING

B) Design Overlay Review No. 1541-14, Variance No. 552-14 and Modification No. 1 to Conditional Use Permit No. 877-11

Applicant's Request:

The applicant, KL Fenix Corporation, is requesting to approve a design overlay review to build a 5,166-square-foot office, modification to conditional use permit for a truck yard operation and variance application for reduction in 25-foot front yard setback. The subject property is located at 19101 S. Broadway.

Staff Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 14-2518, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1541-14, Modification No. 1 to Conditional Use Permit No. 877-11, and Variance No. 552-14 to permit a truck yard use to be located at 19101 S. Broadway."

Commissioner Gordon asked if this entire site was a former landfill and how the building activities will impact the cap.

Associate Planner Gonzalez explained that the entire property was a landfill, with less of the landfill taking place at the edges of the property; advised that the site has been capped with pavement; and that in order to minimize intrusion of the cap, the applicant is seeking a variance and proposing a 10-foot setback instead of a 25-foot setback. He added that the Department of Toxic Substances Control (DTSC) is requiring the applicant/owner to sign a land use covenant, to be prepared by DTSC, ensuring that DTSC monitors any proposed improvements on the site. He explained that the pile driving for the building will be limited and controlled so as to have the least amount of disruption to the cap, noting this process will also be evaluated by engineers and DTSC.

Assistant City Attorney Soltani noted for Commissioner Gordon that the limited intrusion into the cap would qualify as a finding to support the requested variance.

Commissioner Goolsby asked what is being done to secure any methane gas on this property with the pile driving operations.

Associate Planner Gonzalez explained that all this will be studied and addressed through the geotechnical studies and engineers' reports, which still needs to be prepared and submitted to the city and DTSC; and stated that the property owner is well-informed of the requirements.

Chairman Faletogo opened the public hearing.

Felipe Segovia, applicant’s project engineer, explained that the project building has been designed to allow the existing soil to remain buried during pile driving and not brought up to the surface, with the new building sitting on top of the piles. He explained that they are requesting the variance to reduce the setback in order to have the least/minimal intrusion into the landfill area; and noted that the surface drainage system is designed to get water off the site and into the storm drain system as quickly as possible. He advised that they have been in contact with the county and state controlling agencies and that they are well aware of the issues on this site. Mr. Segovia added that they intend to improve the pavement and improve the cap that is currently on site to mitigate any methane gas concerns to the satisfaction of the three controlling agencies; and he noted his concurrence with the conditions of approval.

Gina Kang, applicant’s representative, stated that the owner is aware of the issues at this site and that they plan to make the necessary improvements.

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. 14-2518. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION	None
13. WRITTEN COMMUNICATIONS	None
14. MANAGER'S REPORT	

Acting Planning Manager Signo advised that the City Council public hearing to consider Ordinance No. 14-1539 approving Zone Text Amendment No. 18-14 to amend the Carson Zoning Ordinance to allow multiple dwelling units in the RS zone will take place on July 1, 2014.

15. COMMISSIONERS’ REPORTS

Commissioner Piñon stated that last week he attended a CEQA panel discussion to celebrate the 21st anniversary of publishing the Practice Under the California Environmental Quality Act, sponsored by Cox, Castle & Nicholson in Los Angeles. He added that the panel was led by David Waite (who represented Porsche before a joint Planning and Environmental Commission meeting two years ago) and Michael Zischke (who co-wrote the book); and noted that this event was very informative.

Commissioner Gordon congratulated Acting Planning Manager John Signo and his wife on the birth of their baby daughter, Amanda.

Commissioner Gordon stated that he participated in the trip sponsored by Central Basin Water District to see how our precious/limited water supply comes from northern California, noting it was a very enlightening trip that other Commissioners should partake. He added that there are a few more informative water-supply-related trips that this agency sponsors; and he advised that a representative from this agency is

interested in making a presentation before this Commission in the near future with regard to the status of the water supply and Central Basin.

Vice-Chair Verrett stated she worked with Mayor Pro Tem Santarina on Saturday at the Filipino Independence Day event, having a great time distributing 1,000 new books to residents from Carson and surrounding communities; and stated he is doing a wonderful job with his literacy program.

Commissioner Schaefer stated that she has participated in a prior Colorado River trip sponsored by one of the water agencies, noting these trips are very educational and worthwhile. She advised that she thoroughly enjoyed attending the Memorial Day event at the Community Center that was sponsored by the Veterans Commission, noting the music and entertainment and tribute to the honorees and veterans was very nice.

Commissioner Saenz requested, and received, an update on various projects.

Commissioner Brimmer congratulated Acting Planning Manager John Signo on the birth of his baby girl.

Commissioner Brimmer stated she was pleased to recently see one of the electronic billboards off the 110 Freeway display the City's logo. She noted that she and a few Commissioners attended the Peace Conference, stating it was nice to see the youth participate in this wonderful event.

At this time, Chairman Faleto go invited Dr. Rita Boggs for an oral communication.

Dr. Rita Boggs expressed her belief that the City needs to do a better job of advertising its public hearings, noting that *Our Weekly* is not a widely used publication; and she noted that she spoke with one of the Councilmen about this concern, but stated that nothing has yet to do done. After viewing the last agenda item on television this evening, she rushed to this meeting to urge the Commission to take more seriously any project involving methane gas emissions; and briefly addressed her concern with the potential for explosion.

Chairman Faleto go congratulated the Signo family on their new addition of baby Amanda.

16. ADJOURNMENT

At 7:35 P.M., the meeting was formally adjourned to Tuesday, June 24, 2014, 6:30 P.M., Helen Kawagoe City Council Chambers.

Chairman

Attest By:

Secretary