



**TUESDAY, July 9, 2019**  
701 East Carson Street, Carson, CA 90745  
Council Chambers, 2<sup>nd</sup> Floor  
6:30 p.m.

## **MINUTES**

### **MEETING OF THE PLANNING COMMISSION**

**Members:**

Alex Cainglet  
Michael Mitoma  
Myla Rahman

Uli Fe'esago  
Chris Palmer  
Karimu Rashad

Ramon Madrigal  
Ramona Pimentel  
Daniel Valdez

**Alternates:**

Louie Diaz

Patricia Hellerud

Paloma Zuniga

**Staff:**

Planning Manager  
Betancourt

Assistant City  
Attorney Jones

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*"In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Planning Department at 310-952-1761 at least 48 hours prior to the meeting." (Government Code Section 54954.2)*

#### **1. CALL TO ORDER**

Chair Pimentel called the meeting to order at 6:34 p.m.

#### **2. PLEDGE OF ALLEGIANCE**

Commissioner Madrigal led the Salute to the Flag.

#### **3. ROLL CALL**

Planning Commissioners Present: Cainglet, Fe'esago, Madrigal, Mitoma, Pimentel, Rahman, Rashad, Valdez

Planning Commissioners Absent: Palmer (excused)

Planning Commission Alternates Present: None

Planning Staff Present: Planning Manager Betancourt, Assistant City Attorney Jones, Contract Planner Carver, Recording Secretary Bothe

#### **4. ORAL COMMUNICATION FOR MATTERS NOT ON THE AGENDA**

*The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once. None.*

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**5. NEW BUSINESS DISCUSSION**

**A) Selection of new Planning Commission Chair, Vice-Chair, Secretary**

Brief discussion ensued with regard to Carson recently becoming a charter city and the change to the selection of Chair/Vice-Chair, new Code Section 603, "Chairs, Meetings, Staff Rules: As soon as practicable, following the first day of every calendar year, or such other time as may be designated by resolution of the city council, the members of the each advisory board, committee or commission shall appoint a member to serve as chair and/or as vice-chair(s) of such board, committee or commission."

Planning Commission Decision:

Chair Pimentel moved, seconded by Commissioner Madrigal, to table this process to the first meeting in January 2020. Motion carried, 8-0, (absent Palmer).

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**6. CONTINUED PUBLIC HEARING**

**A) Proposed Recommendation to City Council Amending Carson Municipal Code Chapter 9, Residential Property Report**

Applicant's Request:

The applicant, city of Carson, Planning Division, is requesting to consider adoption of Planning Commission Resolution No. 19-2670, recommending that the City Council adopt Ordinance 19-1935 that amends the Carson Municipal Code, Article V (Sanitation and Health), Chapter 9 (Residential Property Report) to repeal the Residential Property Report (RPR) requirement for all residential real property sales citywide.

Staff Report:

Planning Manager Betancourt presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 19-2670, recommending that the City Council adopt Ordinance No. 19-1935 that amends the Carson Municipal Code, Article V (Sanitation and Health), Chapter 9 (Residential Property Report) to repeal the Residential Property Report (RPR) requirement for all residential real property sales.

- Option 1:  
Do not remove RPR Notices: Notify the South Bay Association of Realtors and local escrow companies that the Program has ended. This option allows real estate professionals to share the information with their respective members and clients.
- Option 2:  
Do not remove RPR Notices: Upon request, staff will advise that the Program has ended and offer to provide a confirmation letter.
- Option 3:  
Remove RPR Notices: On a case-by-case basis upon the property owner's request, staff would remove the notice at a cost of \$8 per request.

Vice-Chair Cainglet asked how many outstanding RPR's are currently in the process.

Planning Manager Betancourt stated he does not have that information at this time. He noted for Commissioner Madrigal that the seller or buyer would pay the \$8 fee.

Commissioner Valdez expressed his concern that Option No. 1 could be burdensome to staff.

Vice-Chair Cainglet stated he is more in favor of Option No. 3, and suggested that an additional fee be added to cover staff time to facilitate this process.

Commissioner Rahman asked if any studies had been done to address the impacts for each of the 3 options.

Planning Manager Betancourt stated that the only impact addressed was the \$183,176 cost to remove the notices from all residential properties.

Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Valdez moved, seconded by Commissioner Mitoma, to concur with Option No. 3, "Remove RPR Notices: On a case-by-case basis upon the property owner's request, staff would remove the notice at a cost of \$8 per request." (This motion ultimately passed.)

By way of a substitute motion, Commissioner Madrigal moved, seconded by Commissioner Cainglet, to concur with Option No. 1, "Do not remove RPR Notices: Notify the South Bay Association of Realtors and local escrow companies that the program has ended. This option allows real estate professionals to share the information with their respective members and clients." The substitute motion for Option No. 1 failed as follows:

AYES: Fe'esago, Madrigal, Pimentel, Rashad  
NOES: Cainglet, Mitoma, Valdez  
ABSENT: Palmer  
ABSTAIN: Rahman

The original motion to concur with Option No. 3 passed as follows, thus adopting Resolution No. 19-2670:

AYES: Cainglet, Fe'esago, Mitoma, Rahman, Valdez  
NOES: Madrigal, Pimentel, Rashad  
ABSENT: Palmer  
ABSTAIN: None

(NOTE: Commissioner Madrigal put forth a substitute motion to support the first option. A second was called for and Vice-Chair Cainglet stated "I second the first one." Following the meeting, Planning Secretary Bothe has confirmed with Vice-Chair Cainglet that his comment "I second the first one" meant he was in support of the third option and not in favor of the substitute motion for the first option; therefore, the substitute motion died for lack of a second. A second on the first motion had already been made prior to his comment.)

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## **7. PUBLIC HEARING**

### **A) Site Plan and Design Review (DOR) No. 1782-19**

#### Applicant's Request:

The applicant, Mario Jaime of MJ Design Construction, is requesting consideration for approval of a Site Plan and Design Review No. 1782-19 to develop a 3,754-square-foot warehouse building on a 0.15-acre parcel. The property is located at 439 West Gardena Boulevard.

#### Staff Report and Recommendation:

Planning Manager Betancourt presented staff report and the recommendation to APPROVE Site Plan and Design Review No. 1782-19 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and ADOPT Resolution No. 19-2671, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1782-19 for a proposed two-story warehouse building located at 439 West Gardena Boulevard."

Chair Pimentel opened the public hearing.

Mario Jaime, applicant's representative, noted his concurrence with the conditions of approval; he stated that the storage of collectable vehicles will only be for the personal use of the owners; stated there will be approximately 6 of the owner's cars stored here; and that mostly automotive parts will be kept on the second floor. He explained for Commissioner Mitoma that the second floor roll-up door will make it much easier for a forklift to bring the auto parts up to the second floor; and stated that the cars will be on the first floor.

Andreas Salvani (sp?), applicant's representative, stated that the Argo family has a small collection of show cars and trophies they'd like to store at this location; advised that vehicle repairs are done elsewhere and not at this location; and confirmed that the vehicles are only here to be stored and not operated.

Robert Martling, 433 W. Gardena Boulevard, stated that he lives next door to this property; and expressed his concern that he will not have full access to his driveway/property if this request is approved. He stated that his landlord was recently in a serious accident and that he is here tonight also representing the landlord. He commented on the numerous code enforcement activities that have taken place with this subject property; stated that he has had a number of problems with the owner, Rodney Argo, advising that Rodney had disconnected the gas meter which serviced 433 W. Gardena; and advised that the property owners are cutting up cars on site. He stated there is an easement which allows driveway access to his house.

Planning Manager Betancourt explained that they currently share the curb cut and share the driveway; and stated that when the existing driveway is reduced to 10-foot wide, it will still accommodate the adjoining residential property.

Mr. Jaime advised that as far as he knows, there is no recorded easement for this driveway; and stated that the curb cut will change but the access will remain for the resident.

Planning Manager Betancourt advised that staff was not able to find a recorded easement for this driveway and stated he does not see any issue with their continued use of the shared driveway.

Mr. Jaime stated that the City will need to modify the curb cut, which is one of the conditions for approval.

Commissioner Rahman asked if there will be an open line of communication to mitigate construction impacts to the residential neighbor.

Mr. Jaime indicated yes.

There being no further input, Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Madrigal moved, seconded by Chair Pimentel, to concur with staff recommendation, thus adopting Resolution No. 19-2671. Motion carried, 8-0 (absent Palmer).

(Due to a possible conflict of interest, Vice-Chair Cainglet recused himself from consideration of this item and he departed the meeting for the rest of the evening.)

**7. PUBLIC HEARING**

**B) Site Plan and Design Review (DOR) No. 1651-17; Conditional Use Permit (CUP) No. 1021-17; Tentative Tract Map (TTM) No. 74898**

Applicant's Request:

The applicant, Curt Dittman of C Dittman Design, is requesting consideration for approval of Site Plan and Design Review No. 1651-17, Conditional Use Permit No. 1021-17, and Tentative Tract Map No. 74898 to develop a 5-unit residential condominium project on a 0.39-acre project site, located at 21915 Dolores Street.

Staff Report and Recommendation:

Contract Planner Carver presented staff report and the recommendation to APPROVE Site Plan and Design Review No. 1661-17, Conditional Use Permit No. 1021-17, Tentative Tract Map No. 74898 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and ADOPT Resolution No. 19-2672, "A Resolution of the Planning Commission of the city of Carson approving Site Plan and Design Review No. 1651-17, Conditional Use Permit No. 1021-17, and Tentative Tract Map No. 74898 for a proposed 5-unit residential condominium development located at 21915 Dolores Street."

Chair Pimentel opened the public hearing.

Curt Dittman, project designer, stated they are providing more parking than what is required and asked if they could eliminate one of the guest parking spaces nearest Unit 5 and shift the handicapped space over to allow for an increase in landscaping/common area.

Amir Aatari-Sharghi, property owner, noted his concern that the collection of \$50,000 for the future undergrounding of utilities in this area will never happen and he asked that this condition be deleted.

Contract Planner Carver advised that this is a standard Public Works condition and added that the City will accept an in-lieu fee calculated at \$500 per linear feet.

Commissioner Mitoma asked if he could post a bond instead of providing the funding now.

Mr. Aatari-Sharghi stated he would support providing a 5-year bond, reiterating his concern that the collection of these funds will never result in any undergrounding of utilities along this street. He noted for Commissioner Valdez that when he purchased the property approximately two years ago, he informed the residents of his plans to develop this site and that they would need to relocate.

Commissioner Valdez asked if the applicant would be providing financial assistance for the current tenants to move.

Mr. Aatari-Sharghi indicated no. He advised that he did not raise the rent when he purchased this property and reiterated that the tenants were informed of the plans for development.

Contract Planner Carver confirmed that this project exceeds parking requirements and expressed her belief expanding the common area would be beneficial.

Commissioner Fe'esago stated he'd rather see more landscaping than concrete and stated it would be a nice buffer for the adjoining tenant.

There being no further input, Chair Pimentel closed the public hearing.

#### Planning Commission Decision:

Chair Pimentel moved, seconded by Commissioner Fe'esago, to approve the applicant's request.

By way of a friendly amendment, Commissioner Mitoma asked that the applicant eliminate one of the parking spaces nearest Unit 5, shift the handicapped parking space over and increase the size of the common area.

The makers of the motion accepted the friendly amendment, adopting Resolution No. 19-2672, 8-0 (absent Cainglet, Palmer).

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<b>8. MANAGER'S REPORT</b>	None
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#### **9. COMMISSIONERS' ORAL COMMUNICATIONS**

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Commissioner Fe'esago happily announced that his grandson Roman Sapolu got married over the weekend and that Roman has been offered a job with Fresno State as a line coach.

Commissioner Valdez asked that city paperwork indicate "Daniel," not "Dan."

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Commissioner Madrigal stated he enjoyed attending the Philippine Independence Day celebration.

Commissioner Mitoma stated he enjoyed the youth talent show at the Philippine Independence Day celebration.

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**10. ADJOURNMENT**

At 8:35 p.m., the meeting was adjourned to Tuesday, July 23, 2019.

  
Chairman

*Attest By:*

  
Secretary