

# MINUTES – REGULAR PLANNING COMMISSION MEETING

## COUNCIL CHAMBERS

18747 CLARKDALE AVENUE, ARTESIA, CA 90701

January 26, 2010

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### **Call to Order**

The Regular Planning Commission Meeting of the City of Artesia was called to order on January 23, 2010, at the City of Artesia Council Chambers at 7:05 p.m. by Chairman Medina.

### **Invocation**

Chairman Medina led the invocation.

### **Pledge of Allegiance**

Vice Chairperson Canales led the pledge of allegiance.

### **Approval of the Planning Commission Agenda**

Motion by Commissioner Medina second by Commissioner Canales to approve the Planning Commission Agenda. The Planning Commission unanimously approved the Agenda.

### **Announcement of Speaker Cards**

Chairman Young announced that for recording purposes, if anyone wishes to make a statement regarding any item on the agenda, to complete a speaker slip and deposit it with the planning clerk prior to the commencement of the meeting. Please note that there is a five-minute time limit per speaker imposed. Please stay within this time limit.

### **Public Comments**

There were no comments from the public.

### **1. Consent Calendar**

#### **A. Approval of Minutes of the Planning Commission Meeting of January 26, 2010.**

Motion by Commissioner Sousa second by Commissioner Medina. The Planning Commission unanimously approved the minutes.

### **Administration of the Oath:**

At this time anyone desiring to speak on a public hearing item should stand and be sworn in by the Deputy City Attorney Melissa M. Crosthwaite.

**New Business - Public Hearing:**

**2. Case No. 2009-32**

**Variance  
17820 Gridley Road**

Bharti Patel, 17820 Gridley Road, Artesia CA 90701

A request for approval of a variance to legalize an unpermitted addition and breezeway to be set back 1'-0" from the property line that are attached between an existing 4-car garage and the existing residence and to allow the setback of an existing 4-car garage to remain at 2'-3" from the property line located at 17820 Gridley Road in the Single Family Residential (R-1) Zone.

Resolution No. 2009-31P

Details of the case were presented by Assistant Planner Jose Hernandez, as noted in the staff report.

Chairman Young opened the public hearing.

Bharti Patel applicant for the project approached the podium stating that he was not aware that permits were needed to do the modifications that were done to his sister's home. Mr. Patel then stated that he is willing to work with the City to legalize all work that is not permitted.

Mr. Okina Dor stated that staff has tried to working with the applicant and has been notified numerous time by mail, in person and by site inspections to stop all un-permitted work but work still continued.

**MOTION by** Commissioner Canales, second by Commissioner Medina **TO CLOSE PUBLIC HEARING.**

No further comments were made.

**MOTION by** Commissioner Medina, second by Vice Chair Canales to **APPROVE CASE NO. 2009-32/RESOLUTION NO. 2009- 31P**

Said motion was carried in the following roll call vote:

AYES:	COMMISSIONERS: Medina, Diaz, Sousa, Canales and Young
NOES:	COMMISSIONERS: None
ABSENT:	COMMISSIONERS: None
ABSTAIN:	COMMISSIONERS: None

### 3. Case No. 2010-01

### Design Review 11732 South Street

Carol Groppell, 1530 Marine Ave, Seal Beach CA 90710

A request for design review approval to reconfigure the parking layout and exterior façade improvements of an existing commercial building located at 11732 South Street in the Commercial Planned Development (C-P-D) Zone. Resolution No. 2010-01P

Details of the case were presented by Assistant Planner Jose Hernandez, as noted in the staff report.

Ron Hart, Southern California construction manager for 99 cent only stores approached the podium and gave a short history about the company and had several questions regarding the conditions of approval in Resolution No. 2010-01P.

Mr. Ron Hart indicated that while studying the site they noticed they would be an issue with the loading and unloading of items at this site. Mr. Hart stated that they only use semi trucks and there is not adequate turning radius to get into the site. Mr. Hart then stated that he has been working with Ethan Allen on this issue and still has decided to move forward with the project. He also stated that they are willing to add the parking spaces needed in order to alleviate the issue with the loading and unloading of trucks. Mr. Hart also indicated that he would like to get some type of ingress /egress agreement with the City Plaza regarding the driveway on the west side of the site.

Mr. Hart had a question regarding condition No. 15 and 27; he just needed clarification on these conditions and was clarified by staff. Mr. Hart also had concerns with conditions 28 and 29.

Vice Chair Canales asked Mr. Hart if they can use smaller trucks for their deliveries instead of the semi trucks. Mr. Hart said that question was already raised and it cannot be done since the semi trucks deliver to several locations at one time.

Mr. Hart stated that it will be very difficult to continue this project without removing condition No's 15, 27, 28, 29, 32 and 33.

**MOTION by Commissioner Medina, second by Vice Chair Canales TO CLOSE PUBLIC HEARING.**

Minor discussion was held among staff and Commissioners.

Deputy City Attorney Melissa Crosthwaite stated that it seems like there are several options that the Commissioners can choose to move forward with this item. First, can be to keep all conditions in the Resolution as is, second, add a requirement in the conditions of approval that the property owners come to an agreement regarding the loading and unloading issue, and third just take out the conditions mentioned and let the owners work it out among themselves.

**MOTION by Chairman Young, second by Commissioner Canales TO RE-OPEN PUBLIC HEARING.**

Laura Leonard approached the podium representing Artesia Partners, the owner, and IDC the property manager. Ms. Leonard stated that she feels the biggest concern is truck deliveries and does not want to see their property destroyed. Ms. Leonard said she cannot guarantee that an easement agreement will be done but is in favor of having the 99 cent store and does not want them to be turned away.

Mr. Hart stated that he is willing to work with the property owner of Artesia Partners to resolve the easement issue.

**MOTION by Vice Chairperson Canales, second by Commissioner Medina TO CLOSE PUBLIC HEARING.**

Commissioner Medina made a motion to eliminate condition No. 15 and 27, modify condition No's 28 and 29 regarding their delivery hours, leave condition No. 32 as is and modify condition No. 33 to change the merchandise display to not exceed forty-eight inches (48) instead of forty-two (42) inches in height.

Mr. Okina Dor stated that condition No. 28 and 29 could be combined in one condition stating that shipping and delivery hours can be between the hours of 7:00 a.m. – 11:00 a.m. or 7:00 p.m. – 9:00 p.m. 7 days a week only.

**MOTION by Commissioner Medina, second by Commissioner Canales to APPROVE CASE NO. 2010-01/RESOLUTION NO. 2010- 01P**

Said motion was carried in the following roll call vote:

AYES:	COMMISSIONERS: Medina, Diaz, Sousa, Canales and Young
NOES:	COMMISSIONERS: None
ABSENT:	COMMISSIONERS: None
ABSTAIN:	COMMISSIONERS: None

## Report Item

### 4. Athletic Training/Tutorial Facility

A discussion whether to principally permit or conditionally permit martial art studios/schools in the City of Artesia.

Details of the report were presented by Assistant Planner Okina Dor, as noted in the report. This is a continued item from last months Planning Commission meeting and the direction was to have staff come back with a survey from surrounding cities on what their requirements are regarding this type of use. The survey was presented to all Commissioners.

Minor discussion was held among staff and Commissioners.

Commissioners all agreed on having staff come up with a Code Amendment for this item and it be brought back to the Planning Commission for approval.

**MOTION** by Commissioner Canales, second by  
Commissioner Medina.

Said motion was carried in the following roll call vote:

AYES:	COMMISSIONERS: Medina, Diaz, Sousa, Canales and Young
NOES:	COMMISSIONERS: None
ABSENT:	COMMISSIONERS: None
ABSTAIN:	COMMISSIONERS: None

### 5. Census Report and appointment of a complete count committee.

The City Council has requested to direct that each City Commission select a member to participate as a member for the Complete Count Committee. The Mayor shall serve as the Chair of the Committee.

All Commissioners were in favor of selecting Chairman Canales and was approved by unanimous consent.

### Discussion Items from Staff

None

### Items from Staff

None

**Additional Citizens' Comments:**

None

**Items from the Commission**

None

**Adjournment**

Adjournment at 9:50 a.m. to the next Regular Planning Commission Meeting to be held on Tuesday, February 23, 2010, at 7:00 p.m., in the City of Artesia Council Chambers.

**Attest**

I, Erika Castaneda, Planning Clerk of the City of Artesia, do hereby certify that the Minutes of the Regular Planning Commission Meeting of January 26<sup>th</sup>, 2010 were approved at the Regular Planning Commission Meeting held on the 23<sup>rd</sup> of February, 2010 by the following roll call vote:

**AYES:**           **COMMISSIONERS: None**  
**NOES:**           **COMMISSIONERS: None**  
**ABSENT:**       **COMMISSIONERS: None**  
**ABSTAIN:**      **COMMISSIONERS: None**

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Erika Castaneda, Planning Clerk