

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF FEBRUARY 2, 2017
MINUTES**

A regular meeting of the Lakewood Planning and Environment Commission was called to order by Chairperson Stuckey at 7:00 p.m. in the Lakewood City Council Chambers, 5000 Clark Avenue, Lakewood, California.

PLEDGE OF ALLEGIANCE

Commissioner Quarto led the Pledge of Allegiance.

ROLL CALL: Chairperson Stuckey
Commissioner McKinnon
Commissioner Quarto
Commissioner Samaniego

EXCUSED: Commissioner Manis

Also present: Sonia Southwell, Director
J. Patrick McGuckian, Assistant Director
Paul Kuykendall, Senior Planner
Charles Carter, Neighborhood Preservation Manager
Jamaar Boyd-Weatherby, City Prosecutor
Didier Murillo, Planning Technician
George Bouwens, Community Conservation Representative
Helene Knight, Administrative Secretary

APPROVAL OF MINUTES

There being no objections, Chairperson Stuckey ordered the Minutes of the Regular Meeting of December 1, 2016 approved as submitted.

ANNOUNCEMENTS AND PRESENTATIONS:

Director Southwell reminded the Planning Commissioners of the Planning Commissioners Academy, March 1-3, 2017 at the Los Angeles Airport Marriott. Registration is still available.

PUBLIC HEARINGS

CONDITIONAL USE PERMIT NO. 943 REQUESTING APPROVAL FOR THE ESTABLISHMENT OF AN INDOOR COMMERCIAL RECREATION USE (FITNESS STUDIO) ON PROPERTY LOCATED AT 4050 HARDWICK STREET (Bob Cerince for Six Degree Fitness dba 6 Degree Fitness)

Planning Technician Didier Murillo delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for Conditional Use Permit No. 943.

Commissioner McKinnon asked under what circumstances a business is required to have ADA compliant restrooms.

Planning Technician Didier Murillo responded that when the applicant submits their tenant improvement plans for the site, the City engineer will require evidence that they are compliant with all aspects of the Americans with Disabilities Act.

Director Southwell added that they must comply.

There being no further questions of staff, Chairperson Stuckey opened the public hearing.

Robert Cerince, 4050 Hardwick Street, Lakewood, California addressed the Commission, identifying himself as the applicant as well as the co-owner of Six Degree Fitness.

Chairperson Stuckey asked Mr. Cerince if he had read the Resolution and was agreeable to the conditions.

Mr. Cerince replied affirmatively.

Chairperson Stuckey asked Mr. Cerince if he could tell the Commission something about his business.

Mr. Cerince responded that this is a family-owned business established in 2007, just before the major recession, and that he was grateful that they were able to survive through that. Mr. Cerince stated that the City of Lakewood is their home and they want to remain here.

Chairperson Stuckey asked the commissioners if they had any questions of the applicant.

There being none, and no one else wishing to be heard on the matter, Chairperson Stuckey closed the public hearing.

Commissioner McKinnon moved and Commissioner Samaniego seconded that RESOLUTION NO. 1-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 943 WITH THE RELATED CATEGORICAL EXEMPTION, ON PROPERTY LOCATED AT 4050 HARDWICK STREET, be approved as submitted.

AYES: COMMISSIONERS: McKinnon, Samaniego, Quarto, Stuckey

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Manis

ABSTAIN: COMMISSIONERS: None

CONDITIONAL USE PERMIT NO. 945 REQUESTING APPROVAL FOR A SMALL COLLECTION FACILITY ON PROPERTY LOCATED AT 5783 SOUTH STREET (Jesus Castenada for Express Recycling & Collections, Inc.)

Senior Planner Paul Kuykendall delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for Conditional Use Permit No. 945. Commissioner Samaniego asked what company would be responsible for swapping out the containers.

Senior Planner Kuykendall responded that Express Recycling and Collections, Inc. would be

the responsible party.

Commissioner Quarto asked if money would be transferred at this site.

Mr. Kuykendall replied affirmatively, explaining that the people bringing in the recycling materials would redeem them for cash.

There being no further questions of staff, Chairperson Stuckey declared it to be the time and place for the public hearing on Conditional Use Permit No. 945, asking anyone wishing to be heard on the matter to come forward, with the applicant to speak first.

Jesus Castaneda, 5783 South Street, Lakewood, California, addressed the Commission, identifying himself as the applicant and the owner of Express Recycling and Collections, Inc.

Chairperson Stuckey asked Mr. Castaneda if he had read the Resolution and was agreeable to the conditions.

Mr. Castaneda responded affirmatively.

Chairperson Stuckey asked Mr. Castaneda if he could tell the Commission something about his business.

Mr. Castaneda replied that the business would consist of a 136-square foot recycling kiosk and two detachable collection containers.

Chairperson Stuckey asked the commissioners if they had any questions of the applicant.

Commissioner Samaniego asked Mr. Castaneda if this would be his first recycling business.

Mr. Castaneda responded that he already has a facility of this kind in the City of Montebello.

Commissioner Samaniego asked Mr. Castaneda what motivated his decision to establish his business at this particular location.

Mr. Castaneda replied that he wanted to make it convenient for customers and better for the City. Since the visibility at this site is obstructed, it is a good match for a business like his that handles their marketing primarily online.

Robert Brown, 5747 Rocket Street, addressed the Commission, identifying himself as a neighbor living directly across from the proposed business. Mr. Brown asked the following questions:

1. What kind of traffic is expected, e.g., cars, bikes foot traffic?
2. Will the business have a restroom facility?
3. Who will regulate to what degree this business expands?
4. What kind of lighting will be added?
5. Will odor and noise be causes for concern, and is there anything in the Resolution addressing these issues?
6. What is the recourse for neighbors if there is a problem?

Mr. Brown also stated that there is a path that allows people to access the proposed business by way of Rocket Street and expressed concern about the potential for excessive traffic. Mr. Brown concluded his remarks by stating that the electrical poles in the area already make it hard enough for residents and suggested that this facility may further reduce the value of homes in the area.

Guyla Romero, 5645 Bonfair Avenue, Lakewood, California, addressed the Commission, stating that she does not live in this area. Ms. Romero stated that there are already enough collection facilities, one in the Lakewood Center Mall and one at Ralphs on Del Amo Boulevard. Ms. Romero added that people tend to leave trash at facilities of this nature.

There being no one else wishing to be heard on this matter, Chairperson Stuckey closed the public hearing.

Chairperson Stuckey responded that no one could state definitively what the traffic situation would be until/unless the applicant receives approval of the CUP and opens the business.

Chairperson Stuckey stated that a restroom is not an issue, because restrooms are not required for this type of facility.

Regarding the hours of operation, Chairperson Stuckey clarified that the business is proposing to be open to customers from 9:00 a.m. to 4:30 p.m. All operations will be limited to the hours of 7:00 a.m. to 7:00 p.m.

Regarding the issues of odor and noise, Chairperson Stuckey stated that these issues have already been addressed in the Resolution, and residents do have recourse in the event of a problem. Residents can always call City Hall and file a complaint about these issues.

Senior Planner Kuykendall explained that the expectation of activity at this site was approximately 40 customers daily Monday through Friday, and approximately 60 customers per day on the weekend.

Mr. Kuykendall stated that there is no direct vehicular access from this business to Rocket Street.

Mr. Kuykendall stated that the lighting used by the business will be limited to existing lighting, specifically existing parking lot lighting and the existing wall-pack lighting on the rear of Ross.

Regarding the subject of expansion, this business is limited to the 500 square feet they are currently proposing, and they would not be eligible for approval of an additional space without first amending their Conditional Use Permit.

The issue concerning noise has been addressed in the proposed Resolution which prohibits mechanical equipment and limits the noise level to a maximum of 60 decibels.

Commissioner McKinnon asked if the Edison right-of-way is fenced on both sides or only on the residential side.

Mr. Kuykendall responded that there are two separate right-of-ways; Southern California Edison and LADPW each have right-of-ways: Southern California Edison on the east and

LADWP on the west, each of which is fenced on both sides. Mr. Kuykendall added that staff could inspect the site to confirm that those fences are intact.

Assistant Director McGuckian stated that a brand new fence had just been installed on the west side of this facility and recently a new commercial nursery has been established at the corner between Rocket Street and the collection facility.

Commissioner McKinnon stated that the staff report mentioned a law requiring the presence of a collection facility within a certain distance from a grocery store and stated that this may have prompted the applicant to select this particular location.

Director Southwell replied that the law to which Commissioner McKinnon was referring was established in the 90's and it absolved grocery stores of the requirement to have a collection facility on site if there was already one present in their immediate radius.

Mr. Kuykendall added that the State of California defines a convenience zone for recycling purposes as a 1/2 mile radius from the grocery store.

Commissioner Quarto moved and Chairperson Stuckey seconded that RESOLUTION NO. 2-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 945 WITH THE RELATED CATEGORICAL EXEMPTION, ON PROPERTY LOCATED AT 5783 SOUTH STREET, be approved as submitted.

**AYES: COMMISSIONERS: Quarto, Stuckey, McKinnon, Samaniego
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Manis
ABSTAIN: COMMISSIONERS: None**

CONDITIONAL USE PERMIT NO. 946 REQUESTING APPROVAL FOR A MESSAGE ESTABLISHMENT ON PROPERTY LOCATED AT 4318 SOUTH STREET (Nakia Smith for The Body Temple Massage and Spa)

Senior Planner Paul Kuykendall delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for Conditional Use Permit No. 946.

Nakia Smith, 4318 E. South Street, Lakewood, California, addressed the Commission, identifying herself as the applicant and co-owner of The Body Temple Massage and Spa. Ms. Smith stated that she has worked exclusively in the massage industry for the last 15 years, specializing in eastern energy work, specific to healing the body and an overall wellness perspective. Ms. Smith stated that this is a 12-year dream coming true and reduces her commute to just under a mile.

Guyla Romero, 5645 Bonfair Avenue, Lakewood, California, addressed the Commission, stating that she moved to the City of Lakewood from North Long Beach 25 years, Ms. Romero stated that she lived next door to a massage parlor and an adult book store at one time, and despite their claims to be legitimate, arrests were ultimately made at both businesses. Ms. Romero expressed the following concerns: 1. She has seen things go from good to bad. 2. The

original business owner may be legitimate, but they may sell the business to someone else who is not. 3. The owner may request extended hours in the future. 4. There is a tutoring facility next door to this site. 5. Children walk past this site on their way to an orthodontist. 6. This massage establishment if supposed to be sports-oriented, but are they doing other things?

Chairperson Stuckey responded that most of the issues mentioned have already been covered in the Resolution, e.g. hours of operation and a six-month review. Chairperson Stuckey added that if there are any complaints, the matter will be brought back to the Commission.

Mr. Kuykendall added that, in order for an applicant to get to this point, they must pass an extensive background check. The hours of operation are identified in the Resolution of Approval and if they choose to change their hours, they would first have to come into City Hall to amend their CUP and that action requires another public hearing. Mr. Kuykendall concluded his remarks by stating that any new owner attempting to take over the business would also have to pass an extensive background check in order to have the business license transferred to them.

There being no further discussion, Chairperson Stuckey asked for a motion.

Commissioner McKinnon moved and Commissioner Quarto seconded that RESOLUTION 3-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 946 WITH THE RELATED CATEGORICAL EXEMPTION, ON PROPERTY LOCATED AT 4318 SOUTH STREET, be approved as submitted.

AYES: COMMISSIONERS: McKinnon, Quarto, Stuckey
NOES: COMMISSIONERS: Samaniego
ABSENT: COMMISSIONERS: Manis
ABSTAIN: COMMISSIONERS: None

BUILDING REHABILITATION BOARD

Chairperson Stuckey called to order the meeting of the Planning and Environment Commission sitting as the Building Rehabilitation Board.

Public Nuisance

**5013 FANWOOD AVENUE
Daniel and Dianne Garza**

CCR Bouwens delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for this Code Enforcement Case and requested approval of staff recommendation to declare the property at 5013 Fanwood Avenue to be a public nuisance.

There being no questions of staff, Chairperson Stuckey asked if there was anyone present wishing to be heard on this matter.

There being, no one, Chairperson Stuckey asked for a motion.

Commissioner Samaniego moved and Commissioner Quarto seconded that RESOLUTION NO. 4-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, SITTING AS THE BUILDING REHABILITATION BOARD, RECOMMENDING APPROVAL OF STAFF RECOMMENDATION, ON PROPERTY LOCATED AT 5013 FANWOOD AVENUE, be approved as submitted.

AYES: COMMISSIONERS: Samaniego, Quarto, McKinnon, Stuckey
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Manis
ABSTAIN: COMMISSIONERS: None

REPORTS:

- **2016 General Plan Annual Progress Report**

Senior Planner Paul Kuykendall requested that the Commission recommend to the City Council that it receive and file the 2016 General Plan Annual Progress Report. There being no objections. Chairperson Stuckey ordered approval of staff recommendation.

- **Development Review Board** reports for December of 2016 and January of 2017 were received and filed.

CORRESPONDENCE: None.

ORAL COMMUNICATIONS: None.

WRITTEN COMMUNICATIONS: None

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

Secretary