

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF MARCH 1, 2018
MINUTES**

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

PLEDGE OF ALLEGIANCE

Chairperson Manis led the Pledge of Allegiance.

ROLL CALL: Chairperson Manis
Vice Chairperson McKinnon
Commissioner Samaniego
Commissioner Stuckey

EXCUSED: Commissioner Quarto

Also present: Sonia Dias Southwell, Director
J. Patrick McGuckian, Assistant Director
Paul Kuykendall, Senior Planner
Charles Carter, Neighborhood Preservation manager
Jacquelyn Cochran, Community Conservation Representative
Adrienne Mendoza, Deputy City Prosecutor
Ivy Tsai, City Attorney
Helene Knight, Administrative Secretary

APPROVAL OF MINUTES

There being no objections, Chairperson Manis ordered the Minutes of the Regular Meeting of February 1, 2018 approved as submitted.

ANNOUNCEMENTS AND PRESENTATIONS

Director Southwell reminded the Commissioners of the Soroptimist Lakewood Run scheduled for Saturday, March 3, 2018.

PUBLIC HEARINGS

CONDITIONAL USE PERMIT NO. 952, AMENDMENT NO. 1, REQUESTING APPROVAL FOR A TWO-STORY ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 6165 AMOS AVENUE (Kyle Yaw)

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. 952, Amendment No. 1.

Commissioner Stuckey asked about the new law allowing second dwelling units to be rented and the impact of more vehicles parking on the street.

Attorney Tsai stated that the state law does not address vehicular traffic at all.

Director Southwell responded that formerly the Lakewood Municipal Code allowed second dwelling units on lots that did not double the density, which meant that a lot would have to be 10,000 square feet to qualify. The state now says that second dwelling units do not affect density. If the property is located within a certain distance of a bus stop, parking cannot be required. This will affect the City and parking, but this is what is legal at this time.

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

Kyle Yaw, 6165 Amos Avenue, Lakewood, California, 90805, addressed the Commission, identifying himself as the applicant.

Chairperson Manis asked Mr. Yaw if he wanted to explain anything about his project to the Commission.

Mr. Yaw responded that Mr. Kuykendall had summarized everything.

Commissioner Stuckey asked Mr. Yaw if he intended to rent out this structure.

Mr. Yaw responded that he is the applicant/builder, not the owner. However, the owner will not rent out the space, because the owner's children live in the house and the owner will be living in the addition.

Chairperson Manis asked Mr. Yaw if the owner had read the Resolution and was agreeable to the conditions.

Mr. Yaw responded affirmatively.

There being no further questions and no one else wishing to speak on the matter, Chairperson Manis closed the public hearing.

Commissioner Stuckey moved and Commissioner Samaniego seconded that RESOLUTION NO. 03-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 952, AMENDMENT NO. 1, ON PROPERTY LOCATED AT 6165 AMOS AVENUE, be approved as submitted.

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

ORDINANCE PERTAINING TO TRASH ENCLOSURES

Assistant Director Patrick McGuckian delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for the Ordinance Pertaining to Trash Enclosures.

Assistant Director McGuckian explained that since 2013 the City has been imposing the requirements of the MS4 Storm Water Permit through the Public Works Director. This ordinance will clarify and consolidate into one section the standards for trash enclosures and the temporary storage of solid waste that are scattered throughout the Code. Through the Director of Community Development and the Director of Public Works, there will be some flexibility to accommodate different uses on different properties, but this ordinance will provide a set of uniform standards.

The ordinance will assist with the goal of the Sheriff's Department to secure trash enclosures to prevent unauthorized dumping and retrieval. Assistant Director McGuckian concluded his comments by stating that since 1971 the City has required that all trash bins be within a trash enclosure. However, there are still many noncompliant bins throughout the City. This ordinance will require compliance for all existing sites within three years.

Chairperson Manis asked if this would apply only to new businesses.

Assistant Director McGuckian replied that this would apply to all properties in all zones.

Commissioner Samaniego asked if this applied to all waste, including cardboard.

Assistant Director McGuckian replied that this applies to all waste, including recycle and green waste.

Commissioner Samaniego inquired about the carwash area at Carson and Paramount behind the Irish Pub, asking if all tenants would be notified or if the owner would be notified.

Director Southwell stated that the owner would be notified.

There being no further questions of staff, Chairperson Manis declared it to be the time and place for the public hearing on the Ordinance Pertaining to Trash Enclosures, asking anyone wishing to be heard on the matter to come forward.

There being no one wishing to speak on the matter, Chairperson Manis closed the public hearing.

Vice Chairperson McKinnon moved and Commissioner Stuckey seconded that RESOLUTION NO. 04-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, APPROVING STAFF RECOMMENDATION TO FORWARD THE ORDINANCE PERTAINING TO TRASH ENCLOSURES TO THE CITY COUNCIL FOR APPROVAL BE APPROVED AS SUBMITTED.

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

CDBG 2018-2019 Action Plan

Housing Specialist Carolyn Lehouillier delivered the proposed Action Plan report, which identifies the activities that will be undertaken during FY 2018-2019 using CDBG Entitlement Funds. This represents the fourth year of the Five-Year Action Plan with a 30-day comment period beginning today and ending on April 10, 2018 at the City Council Meeting. While the City has not yet received its appropriations, it is anticipated that the City will receive an estimated \$510,476 in CDBG funds and \$40,000 in program income this Fiscal Year (FY 2018-2019) from the repayment of housing rehabilitation loans made from CDBG funds. This brings the total amount of anticipated funding available to disperse in FY 2018-2019 to \$550,476. These funds are allocated for use in carrying out activities that meet the mandates of the Housing and Community Development (HCD) Act. Proposed projects within Lakewood's Action Plan include, but are not limited to, capital improvements, e.g., renovating the Burns Center, which is well underway, public services, e.g. Community Family Guidance, Pathways Volunteer Hospice, Meals on Wheels, Community Services Association and Fair Housing. CDBG also funds Community Conservation Program Administration and Delivery.

Commissioner McKinnon commented on the continuing annual decrease in funding.

Director Southwell responded that approximately 15 years ago, the funding was almost one million dollars, but has been declining, and typically, the City receives its allocation by February. However, last year it was not available until mid-July.

There being no further questions of staff, Chairperson Manis declared it to be the time and place for the public hearing on the CDBG 2018-2019 Action Plan, asking anyone wishing to be heard on the matter to come forward. There were no comments received.

There being no one wishing to speak on the matter, Chairperson Manis closed the public hearing.

COMMISSIONER SAMANIEGO MOVED AND COMMISSIONER STUCKEY SECONDED TO DIRECT STAFF TO TAKE INTO CONSIDERATION ALL COMMENTS RECEIVED FROM THE PUBLIC DURING THE NEXT 30 DAYS IN PREPARATION OF THE CDBG FY 2018-2019 ACTION PLAN AND TO ACCEPT THE PROPOSED ACTION PLAN UPON THE APPROVAL BY THE CITY COUNCIL.

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

**BUILDING REHABILITATION BOARD
Public Nuisance**

**11426 E. 212th STREET
William and Sharon Pierce**

CCR Cochran 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 11426 E. 212th Street to be a public nuisance.

Commissioner Samaniego asked why a case that had already been dismissed in a legal proceeding would not remain in the court system and would be brought back to the Building Rehabilitation Board.

Deputy City Prosecutor Adrienne Mendoza explained that a criminal legal proceeding begins with an arraignment where the defendant is notified of the charges and they enter a plea of "guilty" or "not guilty." This is followed by a pre-trial conference where resolution is attempted and proceeds to the next court date, which would have been December 26, 2017. Upon realizing that CCR Cochran would not be available on that date, and recognizing the need to review the pre-trial documents submitted by Mr. Pierce and consult with the Los Angeles County Building Official, Jim Shih, Deputy City Prosecutor Mendoza decided to dismiss the case. Deputy City Prosecutor Mendoza explained that she had attempted resolution by conducting a meeting with Mr. Pierce at Lakewood City Hall prior to filing the criminal charge, but there was no communication.

Commissioner Stuckey asked how this case could have fallen through the cracks for six years, having begun in 2012.

Neighborhood Preservation Manager Charles Carter responded that he did not know how it fell through the cracks, but he explained that the former Neighborhood Preservation Manager had decided to address the electrical permit in an effort to work with the owner. The real issue is unfinished construction with several permits outstanding. Bringing it to the Building Rehabilitation Board is an attempt to consolidate and clarify these issues with the owner in a single meeting, rather than notifying him repeatedly of yet another issue.

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

William Pierce, 11426 E. 212th Street, Lakewood, California, addressed the Commission, identifying himself as the property owner. Mr. Pierce stated that he and his wife have lived at that address for 24 years, his wife formerly worked for the City of Lakewood, and that they have never been treated like this before. Mr. Pierce stated that he is a former contractor and that this matter should have been resolved at the December 26th hearing. Because he had spent a great deal of time preparing for trial during the holidays while the City Prosecutor knew the case would be dismissed, but did not notify him of that fact, he would be filing legal abuse charges. He stated that he has never received any certified mail from the City Prosecutor, and that the first mailing he received was not sealed, creating a confidentiality issue, while the second was lacking a stamp. He claimed that CCR Cochran made a mathematical error, thereby denying him the 180-day time period granted by the permit.

Chairperson Manis asked Mr. Pierce if he could address the issue that is before the Board.

Mr. Pierce replied that he is addressing the issue before the Board, and that all he wants is to have his permits reactivated since it was the City's mistake to expire the permits.

Chairperson Manis asked Mr. Pierce why these issues have continued for so long when he himself said that he was a former contractor.

Mr. Pierce explained that his time has been consumed by his role as a special needs trustee and that his special needs beneficiary had been approached by an attorney who tried to

remove Mr. Pierce. This resulted in Mr. Pierce being in probate court for three years, as well as dealing with Adult Protective Services. In addition, Washington Mutual removed his second mortgage in 2008, which was intended to fund the work that needed to be done on the house.

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

Commissioner Stuckey stated that the homeowner needs to work with the City in closing unnecessary permits, pulling appropriate permits and completing the work. The City works with its citizens and the homeowner should communicate with the City if there are any issues.

Director Southwell stated that in the case of incomplete work, the purpose of a miscellaneous permit is for the inspector to make one inspection to confirm that all work is complete. Director Southwell asked Building Official Jim Shih to clarify the permit situation.

Jim Shih, Los Angeles County Building Official, explained that once permits are expired, they cannot be reactivated. Mr. Pierce needs to pull new permits for the work he intends to do and eliminate the permits for work that he will not be doing.

Chairperson Manis asked the Commissioners if there were any further comments. There being none, Chairperson Manis asked for a motion.

Commissioner Stuckey moved and Commissioner Samaniego seconded that RESOLUTION NO. 5-2018, 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 11426 E. 212th STREET, be approved as submitted.

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

REPORTS:

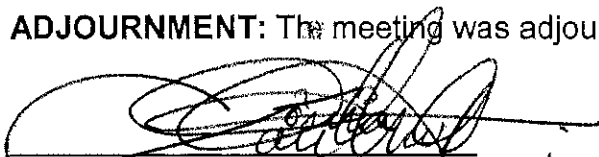
- **Development Review Board** reports for February of 2018 were received and filed.

CORRESPONDENCE: None.

ORAL COMMUNICATIONS: None.

WRITTEN COMMUNICATIONS: None

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


Secretary