

**CITY OF LAKEWOOD  
PLANNING AND ENVIRONMENT COMMISSION  
MEETING OF MAY 4, 2017  
MINUTES**

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

**PLEDGE OF ALLEGIANCE**

Chairperson Stuckey led the Pledge of Allegiance.

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

Also present: Sonia Southwell, Director  
J. Patrick McGuckian, Assistant Director  
Paul Kuykendall, Senior Planner  
David Barboza, Assistant Planner  
Didier Murillo, Planning Technician  
Helene Knight, Administrative Secretary

**REORGANIZATION**

Chairperson Stuckey vacated her office.

Attorney Skolnik called for nominations for the position of Chairperson.

By unanimous ballot, Linda Manis was elected Chairperson.

Attorney Skolnik called for nominations for the position of Vice Chairperson.

By unanimous ballot, Jan McKinnon was confirmed as Vice Chairperson.

**APPROVAL OF MINUTES**

There being no objections, Chairperson Manis ordered the Minutes of the Regular Meeting of April 6, 2017 approved as submitted.

**ANNOUNCEMENTS AND PRESENTATIONS**

Attorney Skolnik announced a reduction of his hours and appointment of a new city attorney that will assume some of his responsibilities.

Director Southwell invited the Commissioners to the Pan Am Fiesta at Mayfair Park, Thursday, May 11 through Sunday, through May 14.

Director Southwell reminded the Commissioners of the mandatory AB1661 training on Thursday, June 22<sup>nd</sup> in the Council Chambers.

## **PUBLIC HEARINGS**

### **CONDITIONAL USE PERMIT NO. 925, AMENDMENT NO. 1 REQUESTING AMENDMENT FOR A SECOND-STORY ACCESSORY BUILDING ON PROPERTY LOCATED AT 5052 MONTAIR AVENUE (Marcelo Vine)**

Assistant Planner David Barboza delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for Conditional Use Permit No. 925, Amendment No. 1.

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

Marcelo Vine, 5052 Montair Avenue, Lakewood, California, addressed the Commission, identifying himself as the applicant.

Chairperson Manis asked Mr. Vine if he had read the Resolution and was agreeable to the conditions.

Mr. Vine replied affirmatively.

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

**Commissioner Stuckey moved and Commissioner Quarto seconded that RESOLUTION NO. 8-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 925, AMENDMENT NO. 1 ON PROPERTY LOCATED AT 5052 MONTAIR AVENUE, be approved as submitted.**

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

### **CONDITIONAL USE PERMIT NO. 950, REQUESTING APPROVAL FOR THE CONTINUING OPERATION OF A MASSAGE ESTABLISHMENT ON PROPERTY LOCATED AT 5448 WOODRUFF AVENUE (Wenye Cai for Joy Foot Spa)**

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. 950.

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

Tingting Liu addressed the Commission, identifying himself as the translator for Wenye Cai,

5448 Woodruff Avenue, Lakewood, California.

Chairperson Manis asked Mr.Liu if the applicant had read the Resolution and was agreeable to the conditions.

Mr. Liu stated that he had translated the Resolution for Mr. Cai and that Mr. Cai agrees to the conditions. Mr. Liu added that the massage shop, Joy Foot Spa, has been in business since 2012, mainly providing services for working people who need to relax. Foot massage and chair therapy are both available. More than 80% of the customers are women, primarily nurses or office workers. The absence of private rooms is somewhat of an asset in this line of work where there may be concerns as to the legitimacy of the business.

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

**Vice Chairperson McKinnon moved and Commissioner Quarto seconded that RESOLUTION NO. 9-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 925, AMENDMENT NO. 1 ON PROPERTY LOCATED AT 5052 MONTAIR AVENUE, be approved as submitted.**

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

### **ORDINANCE PERTAINING TO FRONT YARD SETBACKS IN THE R-1 AND R-A ZONES**

Senior Planner Paul Kuykendall delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for the Ordinance Pertaining to Setbacks in the R-1 and R-A Zones.

Director Southwell summarized the ordinance as follows: all those houses that were shown were built with front yard setbacks of 14 feet or more. Any front yard setback less than 20 feet is currently classified as legal/nonconforming, and no expansion into this area is allowed. Front porches are not included in the calculations as they comply with today's code. This ordinance just makes it even for everyone in these tracts to expand their homes within the original setback just like other home owners throughout the city, except that here they have 14-foot front yard setbacks. This allows the tract to continue with the same characteristics as it has today.

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

Commissioner Samaniego asked how this neighborhood is different from another neighborhood such as Ashworth, east of Bellflower. In that area, don't the houses have the same dimension and setbacks?

Director Southwell responded that the dimensions and setbacks may appear to be the same, But to her knowledge, this is the only neighborhood that has encountered this situation.

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 Front Yard Setbacks in the R-1 and R-A Zones, asking anyone wishing to be heard on the matter to come forward.

John Grother, 5842 Hayter Avenue, Lakewood, California, addressed the Commission, thanking the City for making this proposal, adding that residents need the extra space and it will allow for the improvement of the aesthetics of the front of these houses.

Edward Keller, 5903 Hayter Avenue, Lakewood, California, addressed the Commission, in favor of the proposed ordinance. Mr. Keller stated that many of the residents in this tract suffer from the inability to accomplish what other homeowners are doing. This will not change the nature of the tract. It was never obvious that this tract was not in compliance.

Kurt Alexander, 6126 Hayter Avenue, Lakewood, California, addressed the Commission, stating that he resides in the tract just above the applicant. Mr. Alexander stated that he has lived in the City of Lakewood for 15 years and that he is in favor of this proposal. Mr. Alexander added that a house just north of his home had made these modifications six or seven years ago, resulting in a bedroom immediately adjacent to his driveway, 20 feet from the street. This is something that would be fitting for other houses on that street, as residents work to increase the value of their homes,

Attorney Skolnik clarified that there is no individual property owner/applicant. This is a circumstance that came to the City's attention and it is the City bringing it forward.

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

**Commissioner Samaniego moved and Commissioner Stuckey seconded that RESOLUTION NO. 10-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, MOVING STAFF RECOMMENDATION TO FORWARD THE ORDINANCE PERTAINING TO FRONT YARD SETBACKS IN THE R-1 AND R-A ZONES TO THE CITY COUNCIL FOR APPROVAL.**

**AYES: COMMISSIONERS: Samaniego, Stuckey, McKinnon, Quarto, Manis**

**NOES: COMMISSIONERS: None**

**ABSENT: COMMISSIONERS: None**

**ABSTAIN: COMMISSIONERS: None**

#### **ORDINANCE PERTAINING TO WIRELESS TELECOMMUNICATION FACILITIES**

Senior Planner Paul Kuykendall delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for the Ordinance Pertaining to Wireless Telecommunication Facilities.

Attorney Skolnik explained that the City had invited members of the telecommunications industry to meet and discuss this proposal. Representatives from three of the four major carriers attended and a representative from the fourth carrier arrived at the very end of the meeting.

Each carrier had been provided with earlier drafts and ultimately, two of them, AT&T and Verizon, submitted their comments in the form of letters dated April 27, 2017.

Acknowledging that, to his knowledge, there was no member of the Telecommunications industry present in the audience, Attorney Skolnik reviewed the comments of At&T and Verizon, respectively, and provided the City's response to each, explaining that there were instances of agreement, disagreement and compromise. Upon concluding his review, Attorney Skolnik stated that staff would like to amend their recommendation to the Commission, requesting approval of staff recommendation to refer both ordinances to the City Council for approval, but also directing staff to incorporate the City's responses into the ordinances presented to the City Council.

Attorney Skolnik explained that there are three ordinances ultimately going to the Council. Two are before the Commission tonight. Another one that does not amend the zoning portion of the Lakewood Municipal Code, and by state law does not go before the Planning Commission, will go directly to the City Council. That is the one that will provide rules and regulations for installations in the public right of way and that is the wave of the future. These installations have been in place for years on private property in the form of giant eucalyptus tree disguises. While there will be more, a significant increase is not expected. Current technology allows for smaller transmitters and more of them, with a lot less power, but closer to the users. Federal and state laws have removed local jurisdictions' abilities to object to their placement in the public right-of-way. In the future there will likely be many more of these unobtrusive saucer or canister-shaped devices. This is being driven by a combination of the high public demand for service and the competition among the four major carriers.

Director Southwell explained that the regulations before the Commission are just made to comply with the new sections of the law. There is not a great cause for concern with the new packaging of the regulations, because the City has already been doing many of these things. As an example, Section 6409 references the required period of time for approval and the City has always issued approvals within that timeframe. The pre-application conference will not require an appointment, because generally it will occur at the counter. Private property is not where the majority of the applications will originate.

Attorney Skolnik stated that staff is requesting approval of the proposed resolution with the understanding that the ordinances will be amended in accordance with the responses discussed at this meeting before being submitted to the City Council for approval.

Commissioner Samaniego asked if the permit duration issue raised by one of the carriers was a matter of federal, state or local law.

Attorney Skolnik responded that it was state law, adding that the law has been evolving for years. These industries have powerful lobbying arms that are accustomed to getting what they want.

Commissioner Samaniego asked if these ordinances would in any way increase local taxes, referencing the change in water rates resulting from the drought.

Attorney Skolnik responded that neither of these ordinances would increase local taxes. The only potential financial impact on the City would involve devices located in the right-of-way,

because the ones located on street lights may entitle the City to charge some minimal rent.

Director Southwell stated that these are regulations to comply with existing laws, something they have been doing for years.

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 Wireless Telecommunication Facilities, 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.

**Commissioner Samaniego moved and Commissioner Quarto seconded that RESOLUTION NO. 11-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, MOVING STAFF RECOMMENDATION TO AMEND THE ORDINANCES PERTAINING TO WIRELESS TELECOMMUNICATION FACILITIES IN ACCORDANCE WITH THE RESPONSES DISCUSSED AT THE PLANNING COMMISSION MEETING, AND FORWARD THE ORDINANCES TO THE CITY COUNCIL FOR APPROVAL.**

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

**REPORTS:**

- **Development Review Board** reports for April 2017 were received and filed.

**CORRESPONDENCE:** None.

**ORAL COMMUNICATIONS:** None.

**WRITTEN COMMUNICATIONS:** None

**ADJOURNMENT:** The meeting was adjourned at 7:40 p.m.

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Secretary