

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF NOVEMBER 2, 2017
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 Quarto
Commissioner Samaniego
Commissioner Stuckey

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

APPROVAL OF MINUTES

There being no objections, Chairperson Manis ordered the Minutes of the Regular Meeting of September 7, 2017 approved as submitted. *(The meeting of October 5, 2017 was canceled due to a lack of quorum.)*

ANNOUNCEMENTS AND PRESENTATIONS

Director Southwell reminded the commissioners of the upcoming Award of Valor Luncheon at noon on November 8, 2017 in the Weingart Ballroom at Sycamore Plaza.

PUBLIC HEARINGS

CONDITIONAL USE PERMIT NO. 955, REQUESTING APPROVAL OF TWO-STORY ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 4853 DUNROBIN AVENUE (Jorge Alcantar)

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. 955.

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

Jorge Alcantar, 4853 Dunrobin Avenue, Lakewood, California, addressed the Commission, identifying himself as the project designer and representative of the owner who could not attend this evening. Mr. Alcantar explained that the owner would be expanding the residence to accommodate his family, expanding the garage and installing a lift within the garage, in order to store two collectible cars.

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

Mr. Alcantar responded affirmatively, adding that they had also incorporated all of the Development Review Board recommendations into their plans.

Julio LaCruz, 4857 Dunrobin Avenue, Lakewood, California, addressed the Commission, identifying himself as the applicant's neighbor to the north. Mr. LaCruz explained that he is employed as a nurse who works the night-shift and shared his concern about possible noise generating from the lift. Mr. LaCruz also asked if the shared wall, which is the garage, would be changing.

Chairperson Manis responded that the applicant would need to respond to these questions.

Director Southwell explained that the existing garage is being demolished and a new garage is being built to replace it. Although the garage is restricted from being built directly on the property line, many times in the City of Lakewood a garage is used for separation purposes. While there is technically a one-foot space on the side of the garage, that space is often utilized by the neighbor. However, in that situation, there is usually not a wall at that location. In this scenario, the garage must be rebuilt in order to satisfy structural foundation requirements for a two-story structure.

Chairperson Manis inquired about the noise issue raised by the applicant's neighbor.

Director Southwell replied that she does not know the decibels for a garage lift as the City only has car lifts at apartment locations. However, the City does have noise regulations in place, and the applicant would be subject to those regulations just as anyone else. Noise cannot exceed 65 decibels at the property line and it is a matter of being neighborly as well.

Assistant Director Patrick McGuckian explained that he was familiar with the details from the Development Review Board meeting, and the purpose of the lift is static storage for a classic car that the applicant would only bring down when attending special car events. The ground level space is the one that would be used on a regular basis.

Commissioner Quarto asked if the applicant would be installing a temporary wall to separate the properties during the construction phase.

City Attorney Tsai asked if anyone else wanted to make a comment on this matter before the applicant spoke again.

Mr. Alcantar returned to the podium, explaining that the replacement garage wall will be built in the exact same location as the original garage wall. The only difference is that it will be a two-story wall instead of a one-story wall, located one foot inside the property line. Mr. Alcantar stated

that the owner would also be insulating the wall and that the lift would not be used after hours. Mr. Alcantar explained that this is a hydraulic lift, and hydraulic lifts do not generate noise. It would be impossible to hear the lift outside of the building. Mr. Alcantar added that the applicant would not be moving the lift up and down during the night. It would be moved rarely, and when it is moved, that would occur during daytime hours.

Commissioner Samaniego asked Director Southwell if the garage wall would be serving as the separation between the properties.

Director Southwell replied that 70% of the property plans that she reviews at the counter every day use the garage as a separation. The developer did not build a wall surrounding the property. They did a return on the garage; the garage is there and then they built the wall back. There is no wall on the property line.

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

Vice Chairperson McKinnon moved and Commissioner Stuckey seconded that RESOLUTION NO. 20-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 955 ON PROPERTY LOCATED AT 4853 DUNROBIN AVENUE, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 954 AND JOINT USE PARKING AGREEMENT NO. 2009-1, AMENDMENT NO. 1, REQUESTING APPROVAL FOR SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT ON PROPERTY LOCATED AT 4131 WOODRUFF AVENUE (BURGERIM / Alinano Investments, LLC)

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. 954 and Joint Use Parking Agreement No. 2009-1.

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

Stan Szeto, 879 W. Ashma Road, Montebello California, 91640, addressed the Commission, identifying himself as the representative for the applicant. Mr. Szeto stated that the applicant had read the Resolution and agreed to all conditions.

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

After the public hearing was closed, Commissioner Quarto asked Mr. Szeto if he was aware that there was already a well-established burger place, Glory Days, across the street from the proposed location for this new business.

Mr. Szeto could not respond, as Chairperson Manis had already closed the public hearing.

Commissioner Quarto asked if Mr. Szeto could be brought back, because Commissioner Quarto stated that he had not been given an opportunity to speak to him.

Mr. Szeto returned to the podium.

Commissioner Quarto asked Mr. Szeto if he was aware that there is a well-established burger restaurant across the street.

Mr. Szeto responded that he was not aware.

Commissioner Quarto expressed his concern of competing businesses across the street from one another.

Director Southwell explained that this would be a business decision and that the Commission's role in this matter is restricted to determining whether a Conditional Use Permit should be granted for the sale of alcoholic beverages for on-site consumption.

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

Commissioner Stuckey moved and Vice Chairperson McKinnon seconded that RESOLUTION NO. 21-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 954 AND JOINT USE PARKING AGREEMENT NO. 2009-1, AMENDMENT NO. 1 ON PROPERTY LOCATED AT 4131 WOODRUFF AVENUE, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 956, REQUESTING APPROVAL FOR SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH AN ART STUDIO ON PROPERTY LOCATED AT 4008 HARDWICK STREET (Elias & Ethan Art Studios Dba Painting With a Twist)

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. 956.

Commissioner Samaniego asked if a business owner receiving a license from Alcohol Beverage Control, for strictly beer and wine, could eventually transfer that license to someone else.

Senior Planner Kuykendall responded that the holder of an Alcohol Beverage Control license can simply surrender the license to Alcohol Beverage Control, or he can sell the license to a new owner. However, that new owner would still be required to process the request through Alcohol Beverage Control, fulfill their requirements and receive their approval. Should the new business be similar to the former business, it would not affect the Conditional Use Permit.

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

Maria Beani, 4008 Hardwick Street, Lakewood, California, addressed the Commission, identifying herself as the applicant, and introduced her husband, George Beani. Ms. Beani stated that she had read the Resolution and was agreeable to the conditions.

Commissioner Stuckey asked Mrs. Beani approximately how many students she anticipated per night.

Ms. Beani responded from 22 to 30 students. Ms. Beani explained that she felt the business was a great complement to what is already there.

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

Commissioner Samaniego moved and Commissioner Quarto seconded that RESOLUTION NO. 22-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 956 ON PROPERTY LOCATED AT 4008 HARDWICK STREET, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 611, AMENDMENT NO. 1, and JOINT USE PARKING AGREEMENT NO. 2002-1, AMENDMENT NO. 2, REQUESTING APPROVAL FOR REPLACEMENT OF A DRIVE-THRU RESTAURANT AND MODIFICATION OF A FREE-STANDING SIGN IN EXCESS OF ONE PER INTEGRATED COMMERCIAL CENTER ON PROPERTY LOCATED AT 2438 E. CARSON STREET (Dan Osran for Wendy's Restaurant)

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. 611, Amendment No. 1 and Joint Use Parking Agreement No. 2002-1, Amendment No. 2

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

John Dodson, 1330 Olympic Boulevard, Santa Monica, California, 90404, addressed the Commission, identifying himself as the architect for the project. Mr. Dodson expressed his appreciation to staff and complimented them for their quality of work.

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

Mr. Dodson responded affirmatively.

Mr. Dodson then introduced the franchisee, Dan Osran, 29889 Santa Margarita Parkway, Rancho Santa Margarita, California 92688.

Dan Osran addressed the Commission identifying himself as the applicant and franchisee. Mr. Osran explained that when his company considers a new location for a Wendy's Restaurant, they typically take it to a higher level. They prefer to improve the customer experience.

Chairperson Manis asked Mr. Dodson what would be done with the olive trees that would be removed from the property.

Mr. Dodson responded that not all of the olive trees would be removed. Whichever trees could remain throughout the required reconfiguration of the parking lot, would remain in place. Ultimately, they will not be reducing the number of trees.

There being no further questions and 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. 23-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 611, AMENDMENT NO. 1, AND JOINT USE PARKING AGREEMENT NO. 2002-1, AMENDMENT NO. 2 ON PROPERTY LOCATED AT 2438 CARSON STREET, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 957, REQUESTING APPROVAL FOR MASSAGE ESTABLISHMENT ON PROPERTY LOCATED AT 11804 CENTRALIA STREET (Nguyet Nguyen for Oasis Foot Spa & Massage)

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. 957.

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

Sam (no last name provided) addressed the Commission, identifying himself as the translator for the applicant, Nguyet Nguyen. Sam explained that the owner had just recently purchased the business and was not aware of any previous problems. Sam stated that the business owner would be willing to comply with the requirements of the City

Chairperson Manis asked the translator for his name and he replied, "Sam." He stated that the owner's name is Nguyet Nguyen.

Chairperson Manis asked the Commissioners if there were any questions.

Commissioner Quarto asked if the applicant had been given any time and/or opportunity to make the necessary corrections to the business when she made the purchase in 2015, and if these violations occurred under the applicant's ownership.

Director Southwell replied that the investigation by the Sheriff's Department was conducted at the end of October, 2017, so these violations are very recent.

Commissioner Quarto asked the applicant what corrections she had made since July of 2015 when she purchased the business.

The translator replied that the owner was not aware of any violations.

Director Southwell explained that staff recommendation is based on a combination of building code violations as well as the Sheriff's Department recommendation. While there is potential for correcting building code violations, the Sheriff's Department recommendation would remain in place.

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

Commissioner Samaniego moved and Commissioner Quarto seconded that RESOLUTION NO. 24-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING DENIAL OF CONDITIONAL USE PERMIT NO. 957 ON PROPERTY LOCATED AT 11804 CENTRALIA STREET, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 958, REQUESTING APPROVAL FOR RELOCATION OF A COMMERCIAL SCHOOL ON PROPERTY LOCATED AT 5438 WOODRUFF AVENUE (Victoria Martinez for Bellflower Beauty College of Lakewood)

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. 958.

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

Victoria Martinez, 10321 Hester Avenue, Whittier, California, addressed the Commission, identifying herself as the applicant and business owner. Ms. Martinez explained that her lease was up and she went in search of another location and found the same square footage for a slightly lower price in the City of Lakewood.

Chairperson Manis asked Ms. Martinez if she had read the Resolution and was agreeable to the conditions.

Ms. Martinez responded affirmatively.

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

Commissioner Stuckey moved and Commissioner Samaniego seconded that RESOLUTION NO. 25-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 958 ON PROPERTY LOCATED AT 5438 WOODRUFF STREET, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 959, REQUESTING APPROVAL FOR A MASSAGE ESTABLISHMENT ON PROPERTY LOCATED AT 4180 WOODRUFF AVENUE, #2 (Jihua Li for Relax Foot Spa and Massage)

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. 959.

Commissioner Samaniego asked about the construction that was done, resulting in 4180 Woodruff Avenue, #2.

Assistant Planner Barboza responded that the applicant is occupying space #2, and space #1 is currently vacant.

Commissioner Stuckey asked if the review scheduled for six months from now would be the only review required for this case.

Assistant Planner Barboza responded that only one six-month review has been recommended for this Conditional Use Permit.

Commissioner Samaniego asked about fingerprinting, and if that would be a standard requirement in the future.

Assistant Planner Barboza responded that fingerprinting is already a requirement of the Lakewood Municipal Code, but it is now being added to the report for emphasis.

Vice Chairperson McKinnon asked if the background check is something that is renewed periodically.

Assistant Planner Barboza responded that it is his understanding that a background check is only done initially at the time of application.

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

Ms. Jihua Li, 4180 Woodruff Avenue, #2, Lakewood, California, addressed the Commission, identifying herself (with assistance of a translator) as the applicant.

Chairperson Manis asked Ms. Li if she had read the Resolution and was agreeable to the conditions.

Ms. Li responded affirmatively.

Attorney Tsai interjected that the Resolution contains certain specific conditions, and asked the translator if Ms. Li had read all of the conditions and was agreeable to all of them.

The translator responded affirmatively.

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

Vice Chairperson McKinnon moved and Commissioner Stuckey seconded that RESOLUTION NO. 26-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 959 ON PROPERTY LOCATED AT 4180 WOODRUFF STREET, #2, be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 960, REQUESTING APPROVAL FOR A DRIVE-THRU RESTAURANT AND FREE-STANDING SIGNS IN EXCESS OF ONE PER INTEGRATED COMMERCIAL CENTER ON PROPERTY LOCATED AT 11697 DEL AMO BOULEVARD (Mahesh Patel for Starbucks)

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. 960.

Vice Chairperson McKinnon asked if this is a replacement of, or in addition to, the Starbucks across the street.

Senior Planner Kuykendall deferred that question to the applicant.

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

Barney Michalchuk, Greenberg Farrow, South Executive Park, Suite 100, Irvine, California, 92614, addressed the Commission, identifying himself as the Starbucks architect. Mr. Michalchuk explained that this Starbucks would be replacing the one in Cerritos and the staff from the Cerritos location would now be working in Lakewood.

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

Mr. Michalchuk responded that Starbucks has read the Resolution and agrees to all of the conditions.

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

Commissioner Samaniego moved and Commissioner Quarto seconded that RESOLUTION NO. 27-2017, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 960 ON PROPERTY LOCATED AT 11697 DEL AMO BOULEVARD, be approved as submitted.

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

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAIN: COMMISSIONERS: None

REPORTS:

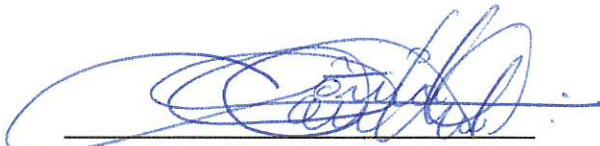
- **Report of CUP No. 950, six-month review, 5448 Woodruff Avenue, (Joy Foot Spa)** was received and filed.
- **Development Review Board** reports for September and October of 2017 were received and filed.

CORRESPONDENCE: None.

ORAL COMMUNICATIONS: None.

WRITTEN COMMUNICATIONS: None

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.


Secretary