

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF APRIL 5, 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 Quarto
Commissioner Samaniego
Commissioner Stuckey

Also present: Sonia Dias Southwell, Director
J. Patrick McGuckian, Assistant Director
Paul Kuykendall, Senior Planner
Charles Carter, Neighborhood Preservation Manager
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 March 1, 2018 approved as submitted.

ANNOUNCEMENTS AND PRESENTATIONS

Director Southwell reminded the Commissioners of the El Comienzo Luncheon at The Centre for Sycamore Plaza, scheduled for Thursday, May 3, 2018, from 12:00 p.m. to 1:30 p.m.

Director Southwell stated that she would be including bin program flyers in commissioners' packets from this point forward.

PUBLIC HEARINGS

VARIANCE NO. 68 REQUESTING APPROVAL FOR A REAR YARD SETBACK ON PROPERTY LOCATED AT 2575 BOMBERRY STREET (Saraceno)

Senior Planner Paul Kuykendall delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for Variance No. 68.

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

Mr. Saraceno, 2575 Bomberry Street, Lakewood, California, 90712, addressed the Commission, identifying himself as the applicant. Mr. Saraceno explained that he had purchased this property in 1992, at which time he was not aware of anything lacking permits. He paid \$400 for a property inspection and no issues were found. Code Officer Foy Boehmer inspected the property in 1996, at which time she stated that she would "grandfather" anything lacking a permit. Subsequently, in 2004, Code Officer Boehmer inspected the property after he added a shed and she stated that everything was fine. Then in 2016, Code Officer Tony Williams came out with Officer Santa Ana and they told Mr. Saraceno to get a permit or tear it down. Mr. Saraceno told them it had already been approved. Code Officer Williams said that it was 13 or 14 inches from the property line, but the garage next door is only 13 inches from the property line and it is permitted. Mr. Saraceno stated that if Officer Boehmer had explained this to him in 1992 he would have taken steps to comply. Now he is applying for a variance 25 years later.

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

Mr. Saraceno responded that he had not read the Resolution.

Director Southwell responded that Mr. Saraceno should have received a package with the staff report in the mail, and that action could not be taken if he had not read the Resolution.

Attorney Tsai recommended that the item be recessed to the end of the meeting so that Mr. Saraceno would have an opportunity to read the Resolution.

Chairperson Manis closed the public hearing on Variance No. 68.

Chairperson Manis then opened the meeting of the Building Rehabilitation Board.

BUILDING REHABILITATION BOARD
Public Nuisance

12121 CENTRALIA STREET, #304
Timothy and Stav Ranieri

Neighborhood Preservation Manager Charles Carter delivered the oral report summarizing the written staff report and slide presentation, as contained in the file for this Code Enforcement Case.

Commissioner Quarto asked if the owner has fire insurance.

Mr. Carter replied that he is not sure what the owner plans to do, but since the property was posted for limited access, there is a need for a resolution to proceed with repairing the property.

Commissioner Quarto asked if anybody has found out if the property is insured.

Commissioner Samaniego stated that on March 13, Charles Carter met with Alex Avery and an insurance adjuster, and asked if we know what insurance company it is and if the insurance company is slow.

Mr. Carter replied that there may be a representative from the unit below and/or the property manager may be present tonight.

Alex Avery, 1222 N. Gardner Street, North Hollywood, California, addressed the Building Rehabilitation Board, identifying himself as the property manager. Mr. Avery stated that he is working with Farmers Insurance, but due to legal recommendations, he cannot access the unit without a court order. Mr. Avery stated that repair estimates are allowed, but the work cannot be done. Mr. Avery added that based on legal recommendations, the broken windows on the unit were boarded up today.

Commissioner Quarto asked if the owner was present.

Mr. Avery responded that he did not believe the owner was present.

Vice Chairperson McKinnon asked If Mr. Avery felt that 60 days is reasonable, in light of these delays.

Mr. Avery replied that he just took over the property on Feb 3 2018. Mr. Avery stated that the unit is in bad condition. Right now they are moving forward, but they are at the mercy of the insurance company. Mr. Avery stated that he believed the 60-day time frame would work, since the process has already begun, but the unit owner has still not agreed to allow access. One large hole in the unit is affecting the person living underneath, due to the recent rain, and the attorney has recommended that they move forward with repairs, but they still need the court order.

Commissioner Quarto asked if this situation was in litigation.

Mr. Avery responded affirmatively, and stated that he has a duty as a Home Owner Association manager to repair the other affected units, but that he did not know how long it would take.

Commissioner Quarto asked if Mr. Avery could reach the owner.

Mr. Avery replied that he had not been able to reach the owner.

Commissioner Quarto asked if they could confiscate the unit legally.

Mr. Avery stated that he was not sure.

Director Southwell stated that they cannot confiscate the unit.

Mr. Avery stated that he believed the owners are in pre-foreclosure. The foreclosure process takes a very long time. It is a confusing process, but 60 days will probably be adequate.

Attorney Tsai stated to the commissioners that they have a revised Resolution with the correct Building Code section and added that this can be extended by the Director if the Director deems that to be appropriate.

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

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 McKinnon seconded that RESOLUTION NO. 7-2018, 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 12121 CENTRALIA STREET, UNIT 304, be approved as submitted.

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

REPORTS:

- **Report of CUP 906, six-month review, 4254 Petaluma Avenue, two-story accessory structure, was delivered by Senior Planner Paul Kuykendall. The report was received and filed.**
- **Report of CUP 939, six-month review, 4125 South Street, AA Massage Establishment was delivered by Senior Planner Paul Kuykendall, who recommended the scheduling of a public hearing for modification or revocation of Conditional Use Permit No. 939.**

Commissioner Stuckey moved and Commissioner McKinnon seconded MOVING STAFF RECOMMENDATION TO SCHEDULE A PUBLIC HEARING FOR MODIFICATION OR REVOCATION OF CONDITIONAL USE PERMIT NO. 939.

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

- **2017 General Plan Annual Progress Report** was received and filed.
- **Development Review Board reports for March 2018** were received and filed.

Chairperson Manis re-opened the public hearing on Variance No. 68.

Mr. Saraceno stated that he had read the Resolution and signed it.

Commissioner Samaniego asked about the Code Officer who came out in 1996.

Mr. Saraceno responded that it was Officer Boehmer, and stated that he has a neighbor who routinely calls the City, the police, Child Protective Services, etc. all the time to harass him. That neighbor now has two cameras on their property, one facing Mr. Saraceno's property.

Commissioner Samaniego asked if this is something that is overlooked when a real estate agent pulls the permits.

Director Southwell explained that they go to the house and make recommendations. They review records, but that has nothing to do with the City. Code Officer Boehmer referred the owner to Planning to check with setbacks and she closed the case. Today, it is handled differently. A Code Officer has to follow up with Planning. Staff does not have the authority to grandfather anything. It is a safety matter. A permit must be pulled and the property must be inspected.

Commissioner Samaniego stated that the prior Director may not have had the same professionalism as Director Southwell.

Director Southwell responded that technology was different at that time. They did not have the ability to go back into files. It was more difficult to research this. Now it can be done from the computer, but in those days files may have been stored in an outside facility.

Commissioner Samaniego stated that he felt it was unfair for Mr. Saraceno to be scrutinized by his neighbors.

Director Southwell replied that the only concern is a safety issue. A building with an uninspected masonry wall may be unsafe. The Commission is only approving the setback, but permits are still needed to guarantee safety on the property, particularly at the time of major wind or earthquakes.

Commissioner Stuckey moved and Commissioner Quarto seconded that RESOLUTION NO. 06-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF VARIANCE NO. 68 ON PROPERTY LOCATED AT 2575 BOMBERRY STREET, be approved as submitted.

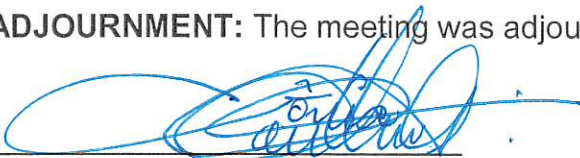
AYES: COMMISSIONERS: Stuckey, Quarto, McKinnon, Samaniego, Manis
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None

CORRESPONDENCE: None.

ORAL COMMUNICATIONS: None.

WRITTEN COMMUNICATIONS: None

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


Secretary