

**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF DECEMBER 6, 2018
MINUTES**

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

PLEDGE OF ALLEGIANCE

Chairperson McKinnon led the Pledge of Allegiance.

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

EXCUSED: Commissioner Stuckey

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

APPROVAL OF MINUTES

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

ANNOUNCEMENTS AND PRESENTATIONS

Director Southwell invited the Commissioners to Lakewood Celebrates on Tuesday, December 11, 2018 from 6:00 p.m. to 7:30 p.m. in the Weingart Ballroom.

PUBLIC HEARINGS

DEVELOPMENT REVIEW BOARD APPEAL, CASE NO. 8811, REGARDING TEMPORARY FENCING ON PROPERTY LOCATED AT 4905 BELLFLOWER BOULEVARD (Emeil Kamel; *(continued from November 1, 2018 PEC meeting)*)

Senior Planner Paul Kuykendall delivered the oral report all as contained in the written report and slide presentation.

There being no questions of staff, Chairperson McKinnon opened the public hearing asking anyone wishing to be heard on the matter to come forward with the appellant to speak first.

Emeil Kamel, 4905 Bellflower Boulevard, Lakewood, California 90712, addressed the Commission, explained that he has been at this location since 1984, described his recent violations, citations and more than \$3,000 in fines, stating that this has not happened before. Mr. Kamel stated that a current picture of his site would show that the fencing is not on the right of way and is not near the public. Therefore, he viewed the violations and citations as the City's revenge. Mr. Kamel asked the Commission if they had a copy of his violations, because he felt that the staff report would be incomplete if the violations were not included.

Attorney Tsai interjected that the Planning and Environment Commission has no jurisdiction over Notices of Violation. This public hearing addresses only the appeal of the Development Review Board action. Therefore, comments must be addressed to that area.

Mr. Kamel stated that the Development Review Board told him to get a permit for temporary fencing. However, he had been repeatedly denied any opportunity to apply for a permit for temporary fencing as all Planning staff had told him that there is no such thing as a permit for temporary fencing. Mr. Kamel explained that he had two reasons for the temporary fencing: 1) site protection and 2) plan for a carwash, adding that he has already spent \$6,000 for an architect and has worked hard on this project. Mr. Kamel stated that it was his opinion that the Community Development Director chose to no longer approve any carwashes due to noise issues, and that is why the Council is denying his request for exemptions.

Attorney Tsai responded that the item before the PEC tonight has nothing to do with the City Council. This is a time for the appellant to state whatever he feels will support his appeal.

Mr. Kamel stated that he has to protect his property from people who dump trash, violate safety codes, park their cars on his property and make a mess, because the Sheriffs don't protect him.

Attorney Tsai explained that this is the time for the appellant to state anything related to the appeal, after which the Commission will hear any other comments from the public and will then deliberate.

Mr. Kamel stated that his lawyer had advised him to apply for a permit for his temporary fencing and the City would not allow even an application for such a permit. Mr. Kamel asked repeatedly for an explanation of this.

Attorney Tsai responded that this is not a question and answer session. This is an opportunity to present evidence related to the appeal, after which comments from the public will be requested.

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

Director Southwell explained that the Lakewood Municipal Code is a permitted code. If something is allowed, it will be stated in the code. However, the code will not explain everything that is not allowed.

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

Commissioner Quarto moved and Vice Chairperson Samaniego seconded that **RESOLUTION NO. 33-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF STAFF RECOMMENDATION TO DENY THE APPEAL OF DRB CASE NO. 8811** be approved as submitted.

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

CONDITIONAL USE PERMIT NO. 982, REQUESTING APPROVAL OF FENCING IN EXCESS OF 42 INCHES IN HEIGHT IN THE REQUIRED FRONT YARD ON PROPERTY LOCATED AT 3333 DEL AMO BOULEVARD (Patricia Wetzell)

Assistant Planner David Barboza delivered the oral report all as contained in the oral report and slide presentation.

Vice Chairperson Samaniego asked if the highest point of any wall would be 5 feet 8 inches.

Assistant Planner Barboza replied affirmatively.

There being no further questions of staff, Chairperson McKinnon opened the public hearing asking anyone wishing to be heard on the matter to come forward with the applicant to speak first.

Kelton Harvey, 18112 Rainier Drive, Santa Ana, California, 92705, addressed the Commission, identifying himself as the applicant's representative. Mr. Harvey explained that the owner has increased the original height of the fence and made it more attractive. She has been very compliant and since she realizes that it is not in full compliance with the regulations of the Lakewood Municipal Code, she is willing to work with the City to be in compliance.

Chairperson McKinnon asked if the applicant had read the Resolution and was agreeable to the conditions.

Mr. Harvey replied affirmatively.

Patricia Wetzell, 3333 Del Amo Boulevard, Lakewood, California, 90712, addressed the Commission, identifying herself as the applicant and property owner. Ms. Wetzell explained that she has been at this site, dealing with the fence issue since 2007 and needs to resolve it to protect her family.

Assistant Director McGuckian interjected that all conditions from DRB Case No. 8840 should be included in this approval.

Subsequent to staff discussion, Director Southwell suggested the following amendments to the Resolution: 1) Section 4.C. "All conditions from DRB Case No. 8840 shall be complied with at all times, except that no encroachment permit is necessary unless required by the City of Lakewood Department of Public Works." 2) "Exhibit A reflects allowance of any front-yard fencing that may be on the property along the west property line to exceed 42 inches in height."

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

Commissioner Manis moved and Commissioner Samaniego seconded that RESOLUTION NO. 34-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 982, be approved as amended.

AYES: COMMISSIONERS: Manis, Samaniego, McKinnon, Quarto

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Stuckey

ABSTAIN: COMMISSIONERS: None

CONDITIONAL USE PERMIT NO. 983, REQUESTING APPROVAL OF A COTTAGE FOOD OPERATION ON PROPERTY LOCATED AT 4432 RADNOR AVENUE

Senior Planner Kuykendall delivered the oral report summarizing the written staff report all as contained in the oral report and slide presentation.

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

Marilyn Culton, 4432 Radnor Avenue, Lakewood, California, 90713, addressed the Commission, identifying herself as the applicant.

Chairperson McKinnon asked Ms. Culton if she had read the Resolution and was agreeable to the conditions.

Ms. Culton replied affirmatively.

Commissioner Manis asked Ms. Culton if she would be cooking her own family's food in the same work area where she would be preparing the food for the cottage food operation.

Ms. Culton replied that, by law, she is required to have an additional area for business cooking supplies and is not permitted to prepare personal food and business food at the same time in the same location. Ms. Culton added that she will not be creating any traffic in the area and that she has already communicated with her neighbors regarding her plans.

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

Commissioner Manis moved and Commissioner Quarto seconded that RESOLUTION NO. 35-2018, A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE

CITY OF LAKEWOOD, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 983, be approved as amended.

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

CONDITIONAL USE PERMIT NO. 984, REQUESTING APPROVAL OF A TWO-STORY ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 5923 PENNSWOOD AVENUE (Erik Clarke)

Senior Planner Paul Kuykendall explained that the applicant had requested a continuance of his public hearing to the Planning and Environment Commission meeting of January 3, 2019, so that he could continue to work on the design of his project and staff recommends approval of the applicant's request for continuance.

Chairperson McKinnon moved and Commissioner Quarto seconded that THE PUBLIC HEARING FOR THE CONDITIONAL USE PERMIT NO. 984 WOULD BE CONTINUED TO THE PLANNING AND ENVIRONMENT COMMISSION MEETING OF JANUARY 3, 2019.

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

REPORTS:

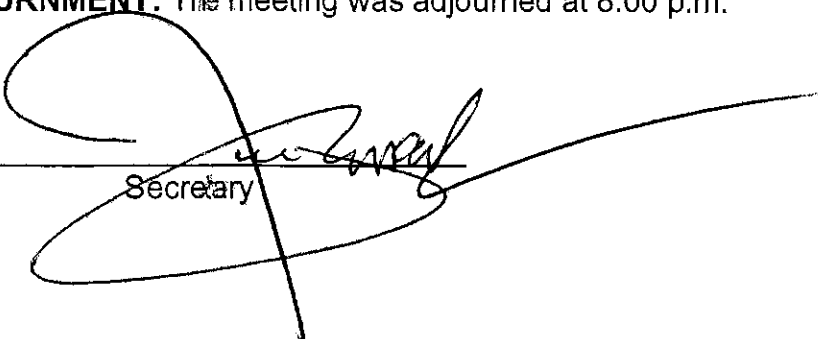
- **Development Review Board reports for November 2018** were received and filed.

CORRESPONDENCE: None.

ORAL COMMUNICATIONS: None.

WRITTEN COMMUNICATIONS: None

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


Secretary