

**MINUTES OF THE
PLANNING COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 14, 2019**

1. OPENING CEREMONIES

- a. Call Meeting to Order

Chair Graf called the meeting to order at 6:30 p.m. in the Council Chambers, Lomita City Hall, 24300 Narbonne Avenue, Lomita, CA 90717.

- b. Flag Salute

At the request of Chair Graf, Commissioner Dever led in the Flag Salute.

- c. Roll Call

Responding to the roll call by Deputy City Clerk Hill were Commissioners Cammarata, Dever, Popelka, and Chair Graf. Also present were Assistant City Attorney Langer, Community & Economic Development Director Velasco, and Planning Intern Aldana.

PRESENT: COMMISSIONERS: Cammarata, Dever, Popelka, and Chair Graf

ABSENT: COMMISSIONERS: Hoy, Santos, Thompson

2. ORAL COMMUNICATIONS

None.

3. CONSENT AGENDA

- a) **APPROVAL OF MINUTES:** November 13, 2018
- b) **CONDITIONAL USE PERMIT NO. 70 (MODIFICATION) – One Year Extension of Time**, a request for a one year extension of time for Conditional Use Permit No 70 (Modification) establishing a new expiration date of January 14, 2020.
- c) **SITE PLAN NO. 1180 – One Year Extension of Time**, a request for a one year extension of time for Site Plan Review No. 1180 establishing a new expiration date of January 14, 2020.

Commissioner Cammarata made a motion, seconded by Commissioner Popelka to approve items 3a – 3c consent agenda items.

MOTION CARRIED to approved consent calendar items by the following vote:

AYES:	4	COMMISSIONERS:	Cammarata, Dever, Popelka, Graf
NOES:	0	COMMISSIONERS:	None
ABSENT:	3	COMMISSIONERS:	Hoy, Santos, Thompson
RECUSE:	0	COMMISSIONERS:	None

PUBLIC HEARING

- 4. CONDITIONAL USE PERMIT NO. 310**, a request for a Conditional Use Permit for 1) a new 2,520 sq. ft. convenience store (7-11) with eight fueling stations, and associated parking and landscaping, 2) to permit the sale of beer and wine for off-site consumption, and 3) to permit the outside storage and display of 20lb propane tanks for the property located at 2301 Pacific Coast Highway in the C-R, Commercial Retail Zone. Filed by 7-11 Inc., 330 E. Lambert Road, Brea CA, 91403 (Applicant).

APPLICANT: 7-11, Inc.

PRESENTED BY: Alicia Velasco, Community and Economic Development Director

RECOMMENDED ACTION: Adopt Resolution of Approval

Director Velasco presented staff report and stated that the project meets all required development standards including, parking, setbacks, height, and landscaping. The project required a licensed engineer to conduct a traffic study which included trips at three intersections. The study showed that there were no level of service impacts due to the project. The City's traffic engineer reviewed the study and had concerns regarding the fuel tank turning radius at the PCH entrance. Therefore, a condition was added to the project stating that the driveway shall have a minimum width of 45 feet to accommodate a right turn turning radius from the first lane. In addition, conditions were added to the aesthetics of the fuel canopy, rear yard setbacks, lighting on the back north wall elevation, and on beer and wine sales.

Director Velasco read into the record two modifications to the conditions and provided copies to the public. Condition number 43 was modified as the applicant felt that it was very vague and staff agreed. The new condition states subject to the approval of the Community and Economic Director, the applicant shall prepare a construction site management plan detailing the storage of construction materials and construction related vehicles outdoors on the project property. Some concerns were expressed about the integrity of the existing block wall, which is on the north property line. Condition 55 now reads the existing block wall along the north property line structural integrity shall be verified by a structural engineer or other qualified individual. If the existing wall is not structurally sound, it shall be replaced with a new six-foot solid masonry block wall. A solid six-foot masonry block wall shall be maintained at the subject property's north property line at all times. Director Velasco recommended that the commission approve the project.

Chair Graf opened the public hearing and asked if there were comments from the commission.

There were questions and brief discussion relative to the other 7-11 stores that have restrictions on beer and alcohol sales, the number of propane tanks at the location, and

discussion relative to excessive complaints, block wall requirements and permits for moving the bus stop with Cal Trans.

There were no disclosures; however, Commissioners Popelka and Cammarata both know the property owner on a personal basis, but stated they can be fair and impartial in their voting.

Chair Graf opened the public comment portion of the hearing.

Mr. Madrid, with ASI Development, 5932 Bolsa Avenue, Huntington Beach, California, presented the project. He stated that they are in agreement with the conditions contained in the draft resolution with the exception of a few. One is the widening of the drive-way off of PCH. They feel that it may it may cause additional funds and cause a delay on the project. The stakeholders would prefer that that part of the condition be stricken. Condition 65 is also a concern with the applicant. They would like to see the condition eliminated or limited in its parameters.

There was discussion regarding the gas station operation and the beer and wine portion of the permit.

Ms. Lisa Baldwin, 25657 Cypress Street spoke about her concerns of a 24 hour store next door to her residence. She also has concerns about hours of construction, lighting, smell and noise while construction is going on. She asked for a ten foot wall to shield from the noise. She said Lomita is a beautiful little town and wants to keep Lomita as a safe small city.

Mr. Madrid readdressed the commission and stated that he understood the concerns raised. He said that there would be no activity on the north side of the building and that the fueling pumps were pushed far south.

Assistant City Attorney Langer pointed to the driveway conditions that needed to be addressed. In regards to construction hours and noise; Director Velasco cited the municipal code that address hours of construction allowed in the City. Assistant City Attorney Langer suggested a construction mitigation plan to minimize noise impacts to adjacent properties be included as Condition 68. Condition 65 was modified from 10 per calendar year complaints to 12 per calendar year.

Chair Graf closed the public hearing at 7:17pm. There being no further questions or comments Chair Graf made a motion, seconded by Commissioner Popelka to approve Conditional Use Permit No. 310 with changes to Condition 43, Condition 55, and Condition 65, and adding Condition 68 as read into the record.

AYES:	4	COMMISSIONERS:	Cammarata, Dever, Popelka, Graf
NOES:	0	COMMISSIONERS:	None
ABSENT:	3	COMMISSIONERS:	Hoy, Santos, Thompson
RECUSE:	0	COMMISSIONERS:	None

MOTION CARRIED to approve the recommended action and adopt the following titled resolution:

RESOLUTION NO. PC 2019-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING A CONDITIONAL USE PERMIT FOR 1) A NEW 2,520 SQ. FT. CONVENIENCE STORE (7-11) WITH EIGHT FUELING STATIONS, AND ASSOCIATED PARKING AND LANDSCAPING, 2) TO PERMIT THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION, AND 3) TO PERMIT THE OUTSIDE DISPLAY OF 20 POUND PROPANE TANKS FOR THE PROPERTY LOCATED AT 2301 PACIFIC COAST HIGHWAY IN THE C-R, COMMERCIAL RETAIL ZONE. FILED BY 7-11 INC., 330 E. LAMBERT ROAD, BREA CA, 91403 (THE "APPLICANT").

5. **CONDITIONAL USE PERMIT NO. 311** A request for a conditional use permit to allow the sale of beer and wine for on-site consumption at a restaurant located at 1841 Pacific Coast Highway in the C-R, (Commercial Retail) Zone. Filed by Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717 ("Applicant").

APPLICANT: Emil Lewis

PRESENTED BY: Christopher Aldana, Planning Intern

RECOMMENDED ACTION: Adopt Resolution of Approval

Planning Intern Aldana presented the report on the project. The proposed project is categorically exempt from CEQA and staff has determined that there is no substantial evidence that the project will have a significant effect on the environment. Staff also determined that the proposed use of the conditional use permit is allowed within the District, is consistent with the General Plan, and complies with all other applicable requirements.

Chair Graf opened the public hearing and asked if there were comments or questions.

Chair Graf asked for clarification on Condition 20, which states that bottles and beverage cans must be disposed of no more than 30 minutes after closing. Director Velasco stated that complaints are often received with regards to the noise of dumping the trash out from restaurants and bars. There was discussion regarding the new block wall that the property owner will install that will extend 149 feet.

Emil Lewis, the applicant, stated that he wanted to bring vibrancy to the city with a buffet style restaurant offering varied menu options.

Joann Sprecher, 1862 W. 257th Street, a resident of the City of Lomita for 15 years spoke against the liquor license. She stated that there are numerous negative impacts from the establishments of the strip mall and feels that the owner does not care about the maintenance, security, or upkeep of the property.

Rosemary Pineda, 1854 257th Street, as resident of 26 years spoke about the damage to her backyard and garden pergola due to the cigarettes and trash that have been thrown in her backyard. She is requested a razor wire fence to help protect her property. Fernando Pineda also spoke about the problems at the strip mall. He mentioned a storage building on the side of the restaurant that is right up against the chain-link fence.

The applicant readdressed the commission and reassured that he would have trained personnel and would not allow bad behavior in his establishment and that he has an open door policy and any complaints can be directed to him.

Commissioner Cammarata stated that the issues seem to be with the strip mall and not particular to this restaurant. Director Velasco stated that the issues have been investigated by code enforcement and the sheriff's department.

Ron Van de Vantor, 1857 Pacific Coast Highway, the owner of 3 Little Cupcakes, attested to the types of issues and concerns brought by the residents. He has helped to clean up the area.

Chari Graf closed the public hearing and brought the item back to the commission.

Commissioner Popelka made a motion, seconded by Commissioner Cammarata to approve Conditional Use Permit No. 310 subject to findings and conditions.

AYES:	4	COMMISSIONERS:	Cammarata, Dever, Popelka, Graf
NOES:	0	COMMISSIONERS:	None
ABSENT:	3	COMMISSIONERS:	Hoy, Santos, Thompson
RECUSE:	0	COMMISSIONERS:	None

MOTION CARRIED to approve the recommended action and adopt the following titled resolution:

RESOLUTION NO. PC 2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING CONDITIONAL USE PERMIT NO. 311 TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION AT A RESTAURANT LOCATED AT 1841 PACIFIC COAST HIGHWAY IN THE COMMERCIAL RETAIL ZONE. FILED BY EMIL LEWIS, 1841 PACIFIC COAST HIGHWAY, LOMITA, CA 90717.

SCHEDULED MATTERS

6. SELECTION OF CHAIR AND VICE-CHAIR FOR 2018-2019

Chair Graf motioned, seconded by Commissioner Cammarata to postpone the selection of chair and vice chair to the next meeting.

MOTION CARRIED by the following vote:

AYES:	4	COMMISSIONERS:	Cammarata, Dever, Popelka, Graf
NOES:	0	COMMISSIONERS:	None
ABSENT:	3	COMMISSIONERS:	Hoy, Santos, Thompson
RECUSE:	0	COMMISSIONERS:	None

7. DISCUSSION AND DIRECTION REGARDING CHANGING DATE AND TIME OF PLANNING COMMISSION MEETING

The commission discussed the possibility of changing the day of the planning commission meetings to either the first or the third Monday, and to the time to 6:00 p.m. Chair Graf made a motion, seconded by Commissioner Cammarata to move the meetings to the third Monday of the month and to change the time from 6:30 p.m. to 6:00 p.m. Conflicts with Monday holiday was discussed and it was determined to vote on the items separately. Commissioner Cammarata made a motion, seconded by Commissioner Dever to move the meeting times to 6:00 p.m.

MOTION CARRIED by the following vote:

AYES:	4	COMMISSIONERS:	Cammarata, Dever, Popelka, Graf
NOES:	0	COMMISSIONERS:	None
ABSENT:	3	COMMISSIONERS:	Hoy, Santos, Thompson
RECUSE:	0	COMMISSIONERS:	None

WRITTEN COMMUNICATIONS

8. COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS

None

OTHER MATTERS

9. STAFF ITEMS – ANNOUNCEMENTS

Director Velasco announced the hiring of Public Works Director Carla Dillon.

10. PLANNING COMMISSIONER ITEMS

Commissioner Popleka commented that the water meter boxes on Oak look nice.

Chair Graf asked about the signs north into Torrance on Lomita Blvd. Director Velasco stated she would have Public Works look into it.


11. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS

Commissioner Popelka will attend the City Council Meeting on Tuesday, February 5, 2019, and Commissioner Graf will attend the City Council Meeting on Tuesday, February 19, 2019.

ADJOURNMENT

The meeting adjourned at 8:26 p.m.

ATTEST:



Kathleen Hill, CMC
Deputy City Clerk