

CITY OF GARDENA
PLANNING & ENVIRONMENTAL QUALITY COMMISSION
TUESDAY, JULY 16, 2019, MEETING

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Called to order by Chair Jackson at 7:00 P.M.

ROLL CALL

Present: Dale Pierce, Deryl Henderson, Stephen Langley, Steve Sherman, Brenda Jackson

Absent:

Also in Attendance: Peter Wallin, City Attorney
Raymond Barragan, Community Development Manager
John Signo, Senior Planner
Amanda Acuna, Planning Assistant

PLEDGE OF ALLEGIANCE

Led by Commissioner Langley.

APPROVAL OF MINUTES

The Planning Commission continued the approval of minutes onto the August 6, 2019 meeting.

PUBLIC HEARING

Agenda Item #5

Conditional Use Permit #3-19

A request for a conditional use permit, per Section 18.42.040.A of the Gardena Municipal Code, to allow automobile storage related to a towing company in the General Industrial (M-2) zone that qualifies for a Notice of Exemption.

Project Location: 1600 West 139th Street (6102-014-065)

Applicant: RSD Towing, Inc. (DBA U.S. Tow)

Planning Assistant Amanda Acuna presented the Staff Report and recommended that the Planning and Environmental Quality Commission adopt Resolution No. PC 12-19, approving Conditional Use Permit #3-19, subject to the conditions of approval and directing staff to file a Notice of Exemption as an existing facilities project.

Chair Jackson opened the public hearing and invited the applicant to speak.

The applicant, Rajpal Dhillon, 13041 Cerise Avenue, Hawthorne, California, 90250, stated that he is available to answer any questions.

Commissioner Henderson stated that there are currently six tow trucks and a trailer located on site. Commissioner Henderson continued by questioning the total number of tow trucks the business will have as well as where they will be stored.

Mr. Rajpal stated that the six tow trucks that are located on site do not belong to the business and will be removed as appropriately. Mr. Rajpal continued by stating that the property is airspace subdivided in which the property owner to the south owns the trailer. Mr. Rajpal noted that there will be a total of four tow trucks for the business.

Commissioner Pierce questioned if the applicant will be installing a fence to separate the two properties.

Mr. Dhillon stated that there is an existing gate shared between the two properties. Mr. Dhillon continued by stating that a new eight-foot tall metal fence will be installed within the common area in order to separate the two properties.

Chair Jackson stated that the Planning Commission received a letter from the adjacent property owner stating that he wasn't opposed to the project; however, he wanted to ensure that the shared parking lot is not used for towed vehicles.

Mr. Dhillon stated that the towed vehicles will not be parked or stored in the general parking lot.

Vice-Chair Sherman questioned if the four tow trucks will be stored within the building.

Mr. Dhillon stated that the tow trucks will not be stored within the building. Mr. Dhillon stated that the 36 parking spaces within the building will be used solely for the impounded vehicles.

Vice-Chair Sherman questioned if all 36 parking spaces will be used for towed vehicles.

Mr. Dhillon stated that, per the contract with the City, the business can store up to a maximum of 100 vehicles. Mr. Dhillon continued by stating that excess vehicles as well as vehicles used for evidence will be stored at an off-site location.

Commissioner Pierce inquired about the security measures put in place when dealing with customers whose vehicles have been impounded.

Mr. Dhillon stated that the tenant space is currently being remodeled to include a bullet proof window.

Vice-Chair Sherman questioned if there will be any surveillance cameras installed.

Mr. Dhillon stated that 19 video surveillance cameras will be installed.

Commissioner Henderson inquired about the potential environmental hazards as the business is allowed to store up to 100 vehicles.

Community Develop Manager Raymond Barragan stated that, per the contract with the City, the business is only allowed to store 36 vehicles at the site; any excess vehicles will need to be stored at a location outside of City Limits. Mr. Barragan continued by stating that the project will be reviewed by the Building and Safety Division to ensure that proper ventilation is installed as well as measures to manage the runoff of fluids from the vehicles are implemented.

Commissioner Langley inquired about the applicant's towing business located in the City of Hawthorne as it relates to the indoor storage of vehicles.

Mr. Dhillon stated that, because of his experience with the business in Hawthorne, he is aware of the safety precautions needed when dealing with the indoor storage of vehicles.

Chair Jackson closed the public hearing.

MOTION: It was moved by Commissioner Langley and seconded by Vice-Chair Sherman to adopt Resolution No. PC 12-19, approving Conditional Use Permit #3-19, subject to the conditions of approval and directing staff to file a Notice of Exemption.

The motion passed by the following roll call vote:

Ayes:	Langley, Sherman, Henderson, Pierce, Jackson
Noes:	None
Absent:	None

Agenda Item #6

Zone Code Amendment #2-19

The Planning Commission will consider an ordinance amending Chapter 18.19 of the City's Zoning Code to allow transitional housing and supportive housing as permitted uses in the Mixed-Use Overlay zone. Staff has determined that the Zone Code Amendment would not have any significant effects and is therefore exempt from CEQA.

Project Location: Citywide

Ms. Acuna presented the Staff Report and recommended that the Planning and Environmental Quality Commission adopt Resolution No. PC 11-19, approving Zone Code Amendment #2-19 and recommending that the City Council adopt the Zone Code Amendment as presented or with any changes that the Planning Commission feels should be made after discussing the matter.

Commissioner Henderson asked how many transitional and supportive housing units currently exist in the City.

Ms. Acuna stated that she did not know how many units there were but that she would be able to look further into it.

Mr. Barragan stated that, to staff's knowledge, there were no transitional or supportive housing units within the City at this time.

Commissioner Langley asked if these housing units were intended for specific type of groups such as homeless or those recovering from hospitalization.

Ms. Acuna stated that transitional housing is targeted toward individuals with substance abuse problems, mental health issues, domestic violence survivors, and veterans. Ms. Acuna continued by stating that this policy aims to get these individuals off the streets and provide temporary housing as well as carrying out programs to assist them in obtaining more permanent housing.

Senior Planner, John Signo, added that transitional housing is meant to get people back up on their feet and be productive members of the community while providing temporary housing. Mr. Signo added that supportive housing is more permanent and is targeted toward those with substance abuse problems, mental health issues, as well as those with low income.

Chair Jackson asked if supportive housing was like HUD housing.

Mr. Barragan stated that supportive housing was not necessarily considered HUD housing, rather stated the key word is bridge families that were on the streets.

Chair Jackson asked if this was the first time that this item came up before the Planning Commission.

City Attorney Peter Wallin stated that these uses are allowed in all the residential zones.

Chair Jackson asked whether the City already had these types of housing.

Ms. Acuna stated that Senate Bill (SB) 2 already required that cities and counties allow transitional and supportive housing by-right in all residential zoning districts and that the City of Gardena allows these type of housing in the R-1, R-2, R-3, and R-4 zoning districts. Ms. Acuna continued by stating that in later years SB 2 required cities to also allow transitional and supportive housing in Mixed-Use zoning areas if other residential uses were allowed.

Chair Jackson asked what if the City chose not to amend its code to allow these types of housing units.

Ms. Acuna stated that if the City was not compliant with SB 2 it could not qualify for certain funding that the City could apply for.

Mr. Wallin stated that the City could potentially be sued for not complying with State Law.

Commissioner Pierce asked whether this amendment was a "Not in My Back Yard" type of issue.

Ms. Acuna stated that SB 2 does aim to remove any zoning barriers that would not allow these type of housing units in cities.

Commissioner Langley asked if someone wanted to put in this type of housing, whether they would be subject to go before the Planning Commission for review.

Ms. Acuna stated that there are state requirements that these types of housing developments would have to abide by; however, they would only be subject to obtain a business license from the City.

Mr. Barragan stated that the City currently has group homes in the single-family residential zoning district, which are permitted by-right, and are only subject to business licensing and any State requirements.

Commissioner Langley asked who the enforcer of the State's requirements would be.

Mr. Barragan stated that these types of housing developments would be subject to the City's Zoning Code, and, if there were any issues, the City could handle that through the Code Enforcement Division or the Police Department; however, in terms of use, that would be reviewed by the State. Mr. Barragan went on to say that new housing development or any improvements to residential homes would be subject to building and safety requirements; however, the use would be allowed by-right and would be able to begin operations without Planning Commission's approval.

Commissioner Langley asked if there were any cities that had voted not to allow these types of housing.

Chair Jackson stated since she has been on the Planning Commission there have been projects that had come before the Commission such as an apartment complex that included affordable housing; however, that there were others such as group homes and accessory dwelling units that have not and that it seems that the State is overriding the cities' authorities more and more.

Mr. Wallin stated that the City could be sued if they were in compliance with State Law and would more than likely lose. Mr. Wallin added that there has been a lot of litigation on this matter and that cities do not win those cases. Mr. Walling went on to say that at times when a drug rehab center house goes into a single-family residential zone, for example, neighbors make complaints to their city council and some city councils have even taken further measures such as purchasing those homes in order to avoid the problem.

Chair Jackson stated that those types of actions are not taken here in the City, that she lived in a neighborhood with a similar housing operation and those operating the facility have caused several issues to the neighborhood. Chair Jackson stated that the City of Long Beach has similar issues, specifically on 4th and Elm Street, in a neighborhood called the village, where the issues have been so bad that neighborhoods have been infested with rats and people are having to move.

Mr. Wallin stated that the City of Gardena many years ago denied such a use at the old hospital site on Marine and was sued by the applicant which ended up costing the City roughly a million dollars for failure to accommodate the disable.

Chair Jackson asked in that case was the City required to sell the property for disable living.

Mr. Wallin stated that the City did not own the property, rather the City denied the applicants request for a Conditional Use Permit, being at that time those type of use were not allowed by-right, however, the City was still sued for violations of the Americans with Disability Act.

Chair Jackson opened the public hearing.

Meme, a resident of Gardena, asked what type of people these housing programs would support.

Mr. Barragan stated that these housing programs would, for example, support those with substance abuse problems and people living on the streets to help get them back on their feet to be have the opportunity to get into permanent housing.

Ms. Meme asked if it would help the people in the City who currently stay in the motels.

Mr. Barragan stated that it would be up to the program facilitators and the State to determine who would be allowed to stay in these residential units.

Ms. Meme asked when these programs would take effect.

Mr. Barragan stated that the item before the Planning Commission at the meeting was not for any specific program but would allow these types of programs to establish in Gardena.

Ms. Meme asked then whether there were any supportive or transitional housing programs already established in the City.

Mr. Barragan stated that if someone would like to open up a supportive or transitional housing facility, they would have the framework to do so in the City.

Ms. Meme then asked whether the City would accept these programs

Chair Jackson and Mr. Barragan stated that that was the issue at hand.

Ms. Meme then asked whether the City would still be able to deny these types of program.

Mr. Barragan stated that someone would be able to purchase property and establish transitional or supportive housing as long as they comply with all the State requirements.

Chair Jackson stated that the people who would run the transitional and supportive housing programs make those determinations, that the Commission was reviewing where in the City these types housing could be located and making sure it would be safe.

Ms. Meme asked if someone in the City was homeless or living in the motels where they would be able to receive assistance in finding housing.

Chair Jackson stated that there was a project that the Commission approved which included affordable housing on Gardena Boulevard, however, it had not come been constructed yet.

Mr. Barragan stated that that developer was in the Community Development Office today and looking to break ground by the end of the year and added that there was one affordable housing unit within that development.

Mr. Barragan added that if there was anyone in the City looking for assistance, they could contact the City's Human Services Department.

Ms. Meme asked whether those individuals looking for housing in Gardena would be required to go through the Gardena Human Services Department.

Chair Jackson stated that the Human Services Department would probably know all the available resources and added that they even have a food pantry.

Ms. Meme asked at what stage was the project on Gardena Boulevard at.

Mr. Barragan stated that that project would probably begin construction at the end of the year

Ms. Meme asked whether there were some apartments in the City that accepted application for affordable housing.

Mr. Barragan stated that there are other apartment complexes that may offer affordable housing units.

Chair Jackson asked about the apartment complex on Normandie Avenue, next to the high school and whether it offered affordable housing units.

Commissioner Langley stated that that area was outside of the City's jurisdiction.

Vice-Chair Sherman added that there were projects approved for single room occupancy units.

Commissioner Langley stated that those pre-proposals did not include affordable housing units.

Mr. Barragan added that those units were market rate.

Ms. Meme asked whether the Human Services Department would be able to assist people looking for housing.

Chair Jackson stated that they could provide her further information on Human Services Department.

Chair Jackson closed the public hearing

MOTION: It was moved by Commissioner Pierce and seconded by Henderson to adopt Resolution No. PC 11-19, recommending that the City Council adopt the proposed Zoning Ordinance.

The motion passed by the following roll call vote:

Ayes:	Pierce, Henderson, Langley
Noes:	Sherman, Jackson
Absent:	None

ORAL COMMUNICATIONS FROM THE PUBLIC

There were no oral communications from the public.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. Barragan informed the Planning Commission that the Building and Safety division is working on permits related to the Lucky Lady Casino incident.

Vice -Chair Sherman asked if the City knew why the roof had collapsed.

Mr. Barragan stated that a beam had failed and caused the roof to collapse along with the HVAC system, however, it was still being investigated.

Commissioner Langley asked how old the building was.

Mr. Barragan stated he believed the building was constructed sometime in the 1970s, however, other parts of the casino were constructed at a later time.

Vice-Chair Sherman asked when the Commission would see the proposed wireless ordinance on the agenda again, being that it had been continued at a previous meeting.

Mr. Barragan stated that to meet certain deadlines an urgency ordinance would be going before the City Council first then come back to the Planning Commission for review.

Mr. Wallin stated that an urgency ordinance was going before the City Council in order to put these rules into effect while allowing staff more time to adopt a complete ordinance.

Vice-Chair Sherman stated that on West 158th Street there were several holes being dug out for these wireless facilities and making a lot of mess along the streets.

Mr. Barragan stated that the City's Public Works Department was aware of the situation. Mr. Barragan added if there are any special topics that the Commission would like to be educated on, staff could put together special review session for the Commission.

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION REPORTS

Commissioner Langley stated that he hopes that everyone would take the opportunity to visit Chapman University and see the Gardena High 1919-1956 art display.

Chair Jackson asked where that was at.

Commissioner Langley stated that it was in Orange County and added that the artwork was quite a remarkable collection of western art that was put together and retrieved back from the Los Angeles Unified School District's executive offices in downtown Los Angeles.

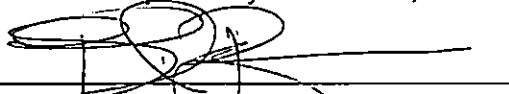
Vice-Chair Sherman asked whether the City was on a fiscal basis for its budget.

Mr. Barragan stated that the City's budget is on a fiscal basis.

ADJOURNMENT

Chair Jackson adjourned the meeting at 7:58 P.M.

Respectfully submitted,



RAYMOND BARRAGAN, SECRETARY
Planning and Environmental Quality Commission



FOR

BRENDA JACKSON, CHAIR
Planning and Environmental Quality Commission