

**MINUTES OF THE MEETING
OF THE PLANNING COMMISSION
OF THE CITY OF EL SEGUNDO, CALIFORNIA**

May 14, 2009

Chairman Wagner called the El Segundo Planning Commission meeting to order at 7:00 p.m. in the El Segundo City Hall's Council Chambers, 350 Main Street, El Segundo, California. **CALL TO ORDER**

Chairman Wagner led the Pledge of Allegiance to the Flag. **PLEDGE TO FLAG**

PRESENT: WAGNER, FUENTES, and NEWMAN **ROLL CALL**

ABSENT: FELLHAUER and BALDINO

None.

**PUBLIC
COMMUNICATIONS**

Chair Wagner presented the Consent Calendar. **CONSENT CALENDAR**

None. **CALL ITEMS FROM
CONSENT**

Commissioner Fuentes moved, seconded by Commissioner Newman, to approve the April 23, 2009, Minutes. Motion carried (3-0). **MOTION**

Chair Wagner presented Agenda Item E-2, Environmental Assessment No. EA-748 and Conditional Use Permit No. 07-03. Applicant: G-Dogs, P.D.S c/o Susane Gorrales (dba Grateful Dogs' Club). Property Owner: Novak Enterprises. Address: 202 Illinois Street. **CONSENT CALENDAR
for EA-748 and CUP 07-03**

Commissioner Fuentes moved, seconded by Commissioner Newman to approve Environmental Assessment No. 748 and CUP 07-03 and to Receive and File. Motion carried (3-0). **MOTION**

Planning Manager Kimberly Christensen stated that a revised Resolution for Item H-4 was provided to change the signature clause. **WRITTEN
COMMUNICATIONS**

Chair Wagner presented Agenda Item H-3, Environmental Assessment No. EA-823, Conditional Use Permit No. 09-02 and Administrative Use Permit No. 09-01. To allow the construction of a 450 square-foot outdoor dining area and the sale of beer and the sale of beer and wine for on-site consumption (Type 41 ABC License) at an existing Restaurant (Kaya Sushi). Applicant: Kaya Sushi Restaurant c/o Dae Kil Im Property Owners: Khedr Management Company Address: 2251 E. Maple Ave. (The Edge at Campus El Segundo). **NEW BUSINESS –
PUBLIC HEARING for
EA-823, CUP 09-02 and
AUP 09-01**

Contract Planner Trayci Nelson presented the staff report (of record.)

Planning Manager Kimberly Christensen states that there are a few minor corrections to the wording of Conditions 6, 7, and 10. She stated that the

revision to Condition 6 should read as follows: A conditional use permit issued under the terms of this Chapter (ESMC 15-23-11 B) “expires” instead of “shall expire”. She stated that Condition 7 should read as follows: “The expiration of the approved conditional use permit terminates” instead of “shall terminate” and The City “is” not responsible instead of “The City shall not be responsible to notify the applicant of a pending expiration.” She stated that Condition 10 should read as follows: “The applicant must provide 1 wheel chair seating space in the patio area.” which has the added language “The applicant must” at the beginning of the sentence.

MOTION

Commissioner Newman moved, seconded by Commissioner Fuentes to approve Environmental Assessment No. 823, CUP 07-03 and AUP 09-01 and to adopt Resolution No. 2656 and with modification to Condition 6, 7, and 10 Receive and File Administrative Use Permit No. 09-01. Motion carried (3-0).

NEW BUSINESS – PUBLIC HEARING for EA-821 and SUB 08-11

Chair Wagner presented Agenda Item H-4, Environmental Assessment No. EA-821, Subdivision No. 08-11 (To allow the Subdivision of one lot into two lots). Applicant: Craig Maples, CAM Construction Inc. Property Owners: Estate of Charlotte Pleggenkuhle Address: 731 Washington Street.

Planning Manager addressed the Commission regarding the revised Resolution that was provided on the dais that changes the signature for the resolution to the property owner who is Cari Briese, the Administrator of the Estate.

Assistant Planner Bryan Fernandez presented the staff report (of record.)

Mr. Fernandez clarified a sentence in the staff report, stating that on Stamped Page 83 of the packet under the General Plan Consistency Section, the second paragraph, first sentence should read as follows: “the Circulation Element of the El Segundo General Plan classifies “Washington Street and Oak Avenue” not “Washington Street and Palm Avenue”.

Cheryl Vargo, representative for CAM Construction

Ms. Vargo gave a brief statement that she is available to answer any questions. She stated that she represents CAM Construction, who is the applicant and property owner. She stated that escrow closed in January 2009. Ms. Vargo clarified that the original Resolution was correct.

Planning Manager Kimberly Christensen stated that the information was not provided to staff, the original application has the estate as the property owner, and that staff should have been notified of the change.

Ms. Vargo stated that before being deemed complete an environmental application that was submitted subsequent to the initial application filling showed CAM Construction as owner of the property. She stated that staff was not provided with the deed or title report showing the changes.

Assistant City Attorney Berger addressed the Commission. He stated that the property owner listed on Stamped Page 111 showed the Estate of Charlotte Pleggenkuhle, deceased signed by administrator Cari Briese. Mr. Berger suggest that if the Commission decides to adopt the proposed Resolution then an additional condition would need to be added requesting that the applicant

show proof of ownership before the resolution becomes effective.

Ms. Vargo replied that she has no problem with that.

Craig Maples, Co-owner

Mr. Maples stated that he just found out about the dedication a couple of days ago and doesn't understand the irrevocable dedication to the property.

Assistant City Attorney Berger addressed the Commission stating that the staff report went out and this application has been pending since December 2008. He stated that there are several options for whichever owner who is in charge of the property. He stated that they can amend their application to try to amend the General Plan, they can provide the irrevocable offer of dedication which is the recommended condition; or they can move the house back out of the City's required area for the dedication. Mr. Berger believes staff has chosen what is the least harmful from the standpoint of the property rights of the property owner in light of the General Plan requirement. Staff understands the General Plan has to be amended at some point, but it's a long process and requires environmental review. He stated that it is up to the City Council and not the Planning Commission and staff doesn't have the ability to make waivers or amendments.

Commissioner Newman asked staff regarding the dedication and what it would take for Mr. Maples to go before City Council to be heard.

Planning and Building Safety Director Carpenter responded that the applicant would have to file a request for an amendment to the General Plan along with a request for the California Environmental Quality Act clearance and it will be a long process. He commented that hopefully within the next 3 to 5 years that the City will amend the General Plan.

Mr. Maples commented that he had done a subdivision just six months ago and didn't have this requirement on a single-family residence. He believes that something needs to be done but he does not have the time, money, and resources to wait this out.

Charles Fisher, resident on Oak Avenue

Mr. Fisher is curious to know if more in depth details of the property design will be given in a latter meeting. He is interested in knowing how close the structure would be to his property.

Chair Wagner replied that the structure detail would not be presented to the Planning Commission. He stated that everything from this point would be between the applicant and the City.

Commissioner Fuentes asked staff if the word "vesting" should be removed as Ms. Vargo stated.

Planning Manager Christensen replied that she checked the map and the word "vesting" should be removed throughout the Resolution.

Commissioner Fuentes moved, seconded by Commissioner Newman to approve Environmental Assessment No. 821, SUB 08-11 and to adopt Resolution No. 2657 with the modification to remove the word "vesting" throughout the resolution

MOTION

and to provide proof of ownership from the applicant. Motion carried (3-0).

Chair Wagner presented Agenda Item H-5, Environmental Assessment No. EA-808, Parking Demand Study 09-03 and Subdivision No. 09-03 (Vesting Tentative Tract Map No. 70996) 5-unit Commercial Condominium Project and Parking Reduction. Applicant: Matt Crabbs. Property Owners: CRS, LLC. Address: 141 Main Street.

**NEW BUSINESS –
PUBLIC HEARING for
EA-808, PDS 09-03 and
SUB 09-03**

Chair Wagner read into the record a letter from the applicant requesting a continuance to the May 28, 2009 meeting.

MOTION

Commissioner Newman moved, seconded by Commissioner Fuentes to continue item to May 28th meeting Environmental Assessment No. 808, SUB 08-11 and to adopt Resolution No. 2653. Motion carried (3-0).

None.

**PUBLIC HEARING
CONTINUED BUSINESS**

Director Carpenter stated that there are two items for the May 28, 2009 meeting.

**REPORT FROM
PLANNING AND
BUILDING SAFETY
DIRECTOR**

Commissioner Newman announced the 2009 El Segundo State of the City Address will be held on May 27, 2009 at the Hacienda Hotel.

**PLANNING
COMMISSIONERS
COMMENTS**

None.

OTHER BUSINESS

Chairman Wagner adjourned the meeting. Motion carried (3-0).

MOTION

The meeting adjourned at 7:37 p.m.

ADJOURNMENT

PASSED AND APPROVED ON THIS 14th DAY OF MAY 2009

**Greg Carpenter, Secretary of
the Planning Commission
and Director of The
Planning and Building Safety
Department**

**David Wagner, Chairman
Planning Commission
City of El Segundo, California**