REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF CULVER CITY,
CALIFORNIA

October 28, 2009
7:00 p.m.

Call to Order & Roll Call

The meeting of the Planning Commission was called to order at 7:00 p.m.

Present: John Kuechle, Chair
Linda Smith Frost, Vice Chair
Anthony Pleskow, Commissioner
Linda Shahinian, Commissioner
Scott Wyant, Commissioner

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Pledge of Allegiance

Vince Modal led the Pledge of Allegiance.

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Comments for Items NOT on the Agenda

None.

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PUBLIC HEARINGS

Item PH-1

Conditional Use Permit to allow at an automated carwash at an existing ARCO AMPM convenience store and fueling station located at 5884 Washington Boulevard

Staff provided a summary of the material of record and discussed additional proposed conditions that had been provided to Commissioners.

Chair Kuechle invited public participation.

The following members of the audience addressed the Commission:

Alex Cuevas, applicant representative, indicated that he was present to answer any questions.

Commissioner Shahinian asked about the industry standard for the percentage of recycled water used in car washes.

Dave Bentley reported that typical recycle rates were 80-85% of the water used in a car wash and he indicated that rates varied among cities. Responding to Commissioner inquiries he also discussed the recycling process; clarification tanks; the amount of fresh water used; the ecological impact of car wash chemicals used; using a closed loop system; the clarification process; and remaining solids.

Vince Modal expressed support for the project, pointed out that the car wash did not abut a residential area, and he noted that he had not heard any opposition to the project.

Marta Zaragoza expressed support for the project, appreciated the transparency and inclusiveness of the process, and she indicated that she was not aware of any opposition to the project.

Anthony Stanton, adjacent property owner, spoke in opposition to the proposal noting that the wall separating the two properties had been illegally torn down several months ago. He thanked staff for addressing his concerns and appreciated the inclusion of additional conditions, in particular restoration of the six-foot wall, but he expressed concern that would be insufficient to mitigate sound issues. He read a letter submitted to staff from his father, Bob Stanton in opposition to the project citing negative impacts to the tenants of their property.

Discussion between the Commission and the speaker included: previous uses of the properties; noise issues; concerns with the initial report; contamination and toxicity of the site; unsatisfactory dealings with Arco; and concerns with a lack of communication between the City and the Stantons.

Staff responded to speaker comments regarding: noticing efforts; availability of documents; previous use of the property; removal of the wall; hydrology and water quality; and soil contamination.

Discussion between staff, the Commission and speakers included: notification procedures; noise studies and mitigations; applicant agreement to installing a six-foot wall; support for reviewing noise issues after six to nine months; and Mr. Stanton's request for a nine-foot wall.

MOVED BY COMMISSIONER SHAHINIAN, SECONDED BY COMMISSIONER PLESKOW, AND UNANIMOUSLY CARRIED TO CLOSE THE PUBLIC HEARING.

Further discussion between staff and the Commission included: concerns with objections at the last minute; applicant efforts to work with the community; landscaping; community support; additional conditions proposed; clarification that the neighbor can erect a nine-foot wall on his property; clinging vines and trellises; the 60-day noise study; ingress and egress; area zoning and compliance with the General Plan; adding a condition regarding curb cuts, installing a stop sign and meeting low landscaping requirements; the Conditional Use Permit; wording regarding contact information; and the Construction Management Plan.

MOVED BY COMMISSIONER SHAHINIAN, SECONDED BY COMMISSIONER PLESKOW, AND UNANIMOUSLY CARRIED TO APPROVE THE PROPOSED NEGATIVE DECLARATION.

Staff and the Commission discussed typographical errors, minor changes and clarification to the resolution.

MOVED BY COMMISSIONER PLESKOW, SECONDED BY COMMISSIONER WYANT, AND UNANIMOUSLY CARRIED THAT THE PLANNING COMMISSION ADOPT THE REVISED RESOLUTION INCLUDING THE ADDITIONAL CONDITIONS PROPOSED BY STAFF.

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Consent Calendar

Item C-1

Secretary's Report

MOVED BY COMMISSIONER SHAHINIAN, SECONDED BY VICE CHAIR SMITH FROST, AND UNANIMOUSLY CARRIED THAT THE PLANNING COMMISSION RECEIVE AND FILE THE REPORT OF THE SECRETARY REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

Meeting Minutes

MOVED BY COMMISSIONER WYANT, SECONDED BY VICE CHAIR SMITH FROST, AND UNANIMOUSLY CARRIED TO APPROVE THE MEETING MINUTES OF SEPTEMBER 23, 2009.

Commissioner Shahinian reported that she had asked the secretary to correct a typo.

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Robert Stanton thanked the Commission.

Items from Staff

Thomas Gorham, Planning Manager, provided a summary of the new Community Outreach Guidelines.

Discussion between staff and the Commission included: public input; concerns with timing; Council direction; lack of attendance vs. lack of notification; issues with agenda posting guidelines; Brown Act issues; updated documents available to the public; and last minute changes and revised documents.

Thomas Gorham agreed that staff would make it a point to achieve the previously stated goal of distributing packets to Commissioners on the Monday, rather than the Wednesday, of the week before each meeting. The Commission expressed concern about whether this would create additional time pressures on Staff, and Thomas Gorham stated that the dates set forth in the Community Outreach Guidelines would all be moved up by two days, so that staff would have the same amount of time they currently have, even though the packets will be sent out two days earlier.

John Kuechle talked about recent cases where proposed resolutions and other documents received by Commissioners in their packet for a meeting, had been significantly changed by staff after the packet was delivered. He acknowledged that this was unavoidable when changes were needed to address comments by Commissioners or the public that were not received until after delivery of the packet, but pointed to cases where changes were made because staff was not finished with the documents when they were sent out. He asked that if a packet is not ready to be sent out on the scheduled date, staff postpone the meeting until the packet is ready. He also asked that meetings be postponed if staff determines after a packet is sent out that significant changes need to be made to the documents.

Thomas Gorham, Planning Manager, asked the Commission for input on whether Commissioners wanted to keep the scheduled meeting on November 11 even though it is Veteran's Day.

The Commission discussed the matter and agreed that the next meeting of the Planning Commission would be held on December 9, 2009.

Thomas Gorham, Planning Manager, reported that Commissioner Tiggs was due to return at the end of November but that could change.

Commissioner Shahinian clarified that her term could be extended until June 2010 if necessary.

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Items from Commissioners

None.

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Adjournment

There being no further business, at 8:35 p.m. the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, December 9, 2009, at 7:00 p.m. in the Mike Balkman Council Chambers.

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YVONNE D. HUNT
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED 12/9/09

JOHN KUECHLE
CHAIR of the CULVER CITY PLANNING COMMISSION
City of Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, City of Culver City, California and constitute the Official Minutes of said meeting.

Martin R. Cole
CITY CLERK

Date 12-10-09

By: Ela Valladares
Ela Valladares
Deputy City Clerk