

## ITEM 3



### **Planning & Economic Development Department**

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#### **PLANNING COMMISSION MINUTES**

THURSDAY, MAY 27, 2010

7:00 P.M.

CITY HALL COUNCIL CHAMBERS

205 SOUTH WILLOWBROOK AVENUE

1) **PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Commissioner Turner.

2) **ROLL CALL**

Commissioners Present:

Juanita Green-Wright

Lillie P. Darden

Cleo Turner

Staff Representatives Present:

Derek Hull

Anita Aviles

3) **PUBLIC HEARING ITEM(S)**

A. **PLANNING COMMISSION APPEAL CASE NO. 09-01** – A request of Kizure Iron Works, LLC to appeal the Planning & Economic Development Director's Notice of Violation/Abatement at 1950 N. Central Avenue in the Low Density Residential (R-L) zone.

Deputy City Attorney Aviles stated that this item has been pulled.

B. **CONDITIONAL USE PERMIT CASE NO. 2673** – A request of Peace & Joy to establish a domestic violence shelter at 608-608 ½ S. Acacia Ave Compton, in the High Density Residential (R-H) zone.

Commissioner Darden moved that the public hearing regarding Conditional Use Permit Case No. 2673 be opened. The motion was seconded by Commissioner Turner and carried unanimously.

Staff Representative Hull stated that the property is located at 608-608 ½ S. Acacia Avenue.

Staff Representative Hull stated that Peace and Joy Care Center is requesting the approval of a conditional use permit (CUP) to establish a domestic violence shelter for women and their children, in accordance with Sections 30-26 of the Compton Municipal Code (C.M.C.).

Staff Representative Hull stated that the subject site is located on the southeast corner of Acacia Avenue and Indigo Street. The site consists of two rectangular shaped parcels of land that are adjacent to each other totaling approximately 11,360 square feet (.26 acres)

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in size. The site is currently developed with a 2-story, 3,160 square foot front unit, a 560 square foot rear unit and a two-car garage. The front unit has eight (8) bedrooms and two (2) bathrooms, a kitchen, living room, dining room and a large front porch/balcony. The rear unit has two (2 ) bedrooms, one (1) bathroom, a kitchen/dining room area and a living room.

Staff Representative Hull stated that the General Plan Land Use Designation is Medium Density Residential (MDR), to the North is Medium Density Residential (MDR), to the South is Medium Density Residential (MDR), to the East is Medium Density Residential, and to the West is Public/Quasi Public (P). The current Zoning is High Density Residential (R-H), to the North is High Density Residential (R-H), to the South is High Density Residential (R-H), to the East is High Density Residential (R-H), and to the West is High Density Residential (R-H). The existing land use is Domestic Violence Shelter; previous use a boarding house, to the North are single and multi-family homes, to the South are sing and multi-family homes, to the East are single and multi-family homes, and to the West is Compton High School.

Staff Representative Hull stated that Peace and Joy Care Center has been operating a shelter at this location since 1997. The previous owners legally operated a rooming house (a hotel by definition) for up to 16 males, until their conditional use permit expired on October 27, 1997. Peace and Joy took ownership of the property under the impression the previous CUP was still valid; however after reviewing department records, Staff discovered the CUP had indeed expired in 1997. Nevertheless, a shelter of this nature would require the approval of a new conditional use permit.

Staff Representative Hull stated that this project is categorically exempt (Class 1) from further environmental review per Section 15301 the California Environmental Quality Act guidelines. Section 15301 suggests, Class 1[exceptions] consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities mechanical equipment, or topographical features, involving negligible or no expansion of use beyond what that existing at the time of the lead agency's determination.

Staff Representative Hull stated that Section 30-26.3 of the CMC requires uses, such as shelters, to be approved with a conditional use permit. Peace and Joy Care Center is a 24-hour domestic violence shelter for women and their children situated in a residential setting. The average stay for families is 30-45 days in front unit and 6 months in the rear unit. As previously mentioned, the front unit contains eight (8) bedrooms and the rear unit contains two (2) bedrooms. The shelter accommodates one family per bedroom and women with no children may share a room. Room and board is provided at no cost to the women and families. On-site individual peer, group and child counseling is also available (see applicant letter). The shelter has a total of four (4) employees, none of which reside on the premises; however staff is available on-call 24 hours a day, seven (7) days a week.

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This particular shelter is intended to serve as a short term living quarters while residents transition into more permanent or long-term living facilities.

Staff Representative Hull stated that the code requires that community care facilities, including those that provide residential congregate care, in structures designed as dwellings provide a minimum of two (2) enclosed spaces plus one (1) space for every guest (Table 30-21.A). The site is currently developed with a two (2) car garage and provides ample paved area at the front and rear of the property to provide parking for 3-4 vehicles; this complies with parking requirements. The site, as currently designed, has two (2) dwelling units and is in compliance with both the zoning and general plan land use designations.

Staff Representative Hull stated that the Development Review Committee (DRC) reviewed the proposal and is generally in favor of this project, subject to the passing of both Fire and Building Department inspections. This case was properly noticed in accordance with Section 30-26 of Compton Municipal Code. Notices were mailed out to property owners and hand delivered to all occupants located within a 500 foot radius. As of May 20<sup>th</sup>, no correspondence either for or against the project have been received.

Staff Representative Hull stated that staff recommends that the Planning Commission approve Conditional Use Permit Case No. 2673 subject to the findings and conditions of approval contained in the staff report.

Staff Representative Hull noted that this item did go before the Design Review Committee, there is some concern in regards to the rear building that is comprised with 560 sq. ft. was not permitted. Staff has conditioned this particular case to suggest that there not be any occupancy permitted until the building can meet the Fire and Building Department's codes.

Commissioner Darden asked if that unit was an illegal structure.

Staff Representative Hull stated say if it's illegal but it does not meet current code requirements for Fire and Building. One of the issues that were addressed in the meeting with the applicant was that they have to bring it up to code. As opposed to not allowing the applicant to use the primary building, they will have use of the primary building.

Commissioner Darden clarified that they could use the front structure but they will be prohibited from using the rear structure until they meet all the codes.

Commissioner Turner asked how that condition will affect Condition 12.



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Staff Representative Hull stated that it is just referencing the two parcels, one parcel for each building and requiring that both parcels be merged. That does not necessarily discuss the issues of code violations or the inability for the building to meet Code requirements.

Commissioner Darden asked regarding Condition 1 that states that the permit is valid for 5 years and if after those 5 years expire would they have to reapply for a new permit.

Staff Representative Hull stated that the Conditional Use Permits are that the proposed use is appropriate at that time, but at some point in the future the use may not be the most appropriate use. Therefore, after 5 years the applicant may have to submit another CUP. Mr. Hull stated that he recommends that it be changed to 10 years, because he does not see the development growth in the area going to occur in the next 5 years, therefore he recommends changing this condition to 10 years that way we will be able to see how the City is growing and if that will be an appropriate use given that time. If the Commission supports that recommendation the applicant will apply for another CUP to be extended for another period of time.

Staff Representative Hull stated that he has gotten clarification from staff regarding the concerns of the rear unit, Fire Department and Building and Safety has expressed concerns about the condition of the rear unit and that they would be required to meet those conditions before they would allow for occupancy. At this time the applicant has not made those corrections. What staff recommends is that it not be part of the approval until staff of Fire, and Building and Safety has informed Planning that those items have been addressed and met.

Staff Representative Hull stated that Conditions 13 shall be modified to read "That the use shall comply with all requirements of the Fire, Building and Safety and Planning and Economic Development Departments, and all applicable County, State and Federal codes/requirements with respect to the rear unit".

Commissioner Darden stated that Condition 6 states that "That this domestic violence shelter shall not accept sexual offenders". What criteria is use to determine if a person is a sex offender?

Staff Representative Hull stated that we reference the list that is given out by the appropriate department because sex offenders in the State of California have to be registered.

The applicant, Wilma Wilson, 1673 East Del Amo Blvd., Carson, addressed the issue of the rear unit. They just spend \$10,000 bringing the rear unit up to code as far as the Building and Safety was concerned. They received the Building and Safety clearance

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back in 2009 after they had to remodel the whole thing because at the bottom was two-units. They took all of that out and added a new two-car garage, changed all the windows, so that was brought up to code. Ms. Wilson stated that the Fire Prevention Inspector came out on June 30, 2009 and gave them a list of everything that they had to do. They came back out on July 1, 2009 and okay everything they had done.

Staff Representative Hull stated that typically what staff will do in situations like this when there is additional information from other departments is to check with them prior to the hearing. Lastly when staff checked the issues have not been resolved.

This just recently went to DRC about a week or two ago because this was not a use that had been permitted before, they were under the assumption that they had a previous CUP for the male facility so they had to get their own CUP prior to coming today we took it to DRC and that's when the comments came out regarding the outstanding issues with the rear building.

Ms. Wilson stated that they have not yet received them but when they get they go ahead and correct them.

Ms. Wilson thanked the Commission on behalf of Peace and Joy Center.

Program Director, Ms. Lisa Corona, Peace and Joy Center, 1693 E. Del Amo Blvd., Carson, stated that she has not received any code violations that they are complying with. As far as the Fire Department she was present when the Fire Department came and reviewed the shelter and did give their approval at that time in July of last year. As far as referral they do get a lot of referrals from the Compton Unified School District, Jewell from the Homeless and Health Department, she often refers clients to their shelter.

Outreach Coordinator, Ms. Melanie Ann McAllister, Peace and Joy Care Center, 1673 E. Del Amo Blvd., Carson, stated that she has been here serving the Carson/Compton victims of domestic violence for 13 years and since she is the Outreach Coordinator she also works with the woman and children of Compton that don't need or want to go into the shelter. Working extremely close partnership with the District Attorney's Office, with the Compton Sheriff's Station, and the deputies of Domestic Violence and Family Crime Division. The shelter is extremely vital and she really thinks that it should be approved.

There being no further comments, Commissioner Darden moved to close the public hearing regarding **CONDITIONAL USE PERMIT CASE NO. 2673**. The motion was seconded by Commissioner Turner and carried unanimously.

Staff Representative Hull stated that before the Commission takes a vote he wants to clarify changes to the conditions of approval.



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**Condition 1.** Text change to be valid for 10 years.

**Condition 2.** That there shall be a maximum of 8 rooms, 2 rooms are from the rear unit. What Mr. Hull recommends is that applicant contact staff to assist in contacting the Fire Department, and Building and Safety Departments to make sure that they can meet the requirements for that second building. At that time it can be brought back to the Commission to allow for that rear unit.

**Condition 4.** That an accurate registry shall maintained taking out guest registry.

Chairperson Green-Wright stated that the City Attorney is going to check if that condition should be there because it is a privacy act. Ms. Green-Wright requests that that condition be removed for right now.

**Condition 13.** That it read "That the use shall comply with all requirements of the Fire, Building and Safety and Planning and Economic Development Departments, and all applicable County, State and Federal codes/requirements with respect to the rear unit".

Commissioner Turner moved to approved **CONDITIONAL USE PERMIT CASE NO. 2673** with corrections. The motion was seconded by Commissioner Darden. **CONDITIONAL USE PERMIT CASE NO. 2673** was approved unanimously.

- C. CONDITIONAL USE PERMIT CASE NO. 2674** – A request of The Salvation Army to replace an existing double-sided cabinet sign and add an electronic reader board to an existing non-conforming pole sign at 736 E. Compton Blvd., Compton, in the Limited Commercial (C-L) Zone.

Commissioner Darden moved that the public hearing regarding Conditional Use Permit Case No. 2674 be opened. The motion was seconded by Commissioner Turner and carried unanimously.

Staff Representative Hull stated that the project is located at 736 E. Compton Blvd. in the Fourth District. Nearest intersection is Compton Blvd. and Santa Fe Ave.

Staff Representative Hull stated that the project site Land Use Designation is GC (General Commercial) and LR (Low Density Residential), to the North is GC (General Commercial), to the South is LR (Low Density Residential), to the East is GC (General Commercial) and LR (Low Density Residential), and to the West: GC (General Commercial)

Staff Representative Hull stated that the project site zoning is C-L (Limited Commercial) and P-R-M (Parking & Medium -Density Residential), to the North: C-L (Limited Commercial), to the South: C-L (Limited Commercial) and P-R-M (Parking & Medium -Density Residential), and to the East: C-L (Limited Commercial) and P-R-M (Parking & Medium -Density Residential), and to the West: C-L (Limited Commercial)



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Staff Representative Hull stated that project is located Redevelopment and Enterprise Zone overlay districts.

Staff Representative stated that the project is a categorically exempt project in accordance with CEQA guidelines Section 15301 – [Exceptions] consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities mechanical equipment, or topographical features, involving negligible or no expansion beyond that existing at the time of the lead agency's determination.

Building permit issued for a pole sign in 1982; pole signs are currently prohibited by the sign code; the existing pole is considered legal non-conforming.

Legal non-conforming signs may continue in use provided that it is not: (a) Structurally altered; (b) expanded, moved or relocated; or (c) reestablished after damage or destruction exceeding 50%.

The approval of a conditional use permit is required to extend the use of a non-conforming sign and to install an electronic reader board.

Staff Representative Hull stated that the sign ordinance also requires the approval of a conditional use permit (CUP) to extend the "life" of a legally non-conforming sign (Section 30-22.5.d.6). Additionally, the sign ordinance requires the approval of a conditional use permit to for all new electronic message or reader boards. The intent of the CUP requirement for electronic reader boards is to give the City an opportunity to regulate and control the location, visibility and content of such signs.

Staff Representative Hull stated that in this case, the applicant would like to replace the existing 5' x 14' (70 square foot) double-sided changeable copy cabinet sign with a 2'-6" x 7'-8" (~ 19.16 sq. ft.) double-sided cabinet sign and a 1'-1"x7'-8" (~8.30 sq. ft.) electronic reader board. The applicant is proposing to use the double sided electronic message/reader board to advertise church and community center related events and partner with the City of Compton to promote City events as well. Staff supports the use of message/reader boards, for institutional uses such as churches, schools, hospitals and community facilities to advertise events and services that they provide to the community, where appropriate.

Staff Representative Hull stated that this site exceeds the maximum signage allowed by the current sign ordinance. The current sign code would allow for a wall sign on each building elevation with street or parking lot frontage and a monument sign up to a 6' high (24 square feet max.). As previously mentioned, there is an existing 20' high double-sided changeable copy cabinet pole sign right adjacent to the monument sign located on the corner of Compton Boulevard, which is legal non-conforming.

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Staff Representative Hull stated that the building is located on a busy intersection (Compton Boulevard and Santa Fe Avenue) with high volumes of vehicular traffic. The Community Redevelopment Agency (CRA) is in the preliminary stages of preparing a specific plan for Compton Boulevard. One of the main objectives is to create design guidelines for the specific plan area. Given that this site is located within this area, staff would like to condition the project to validate the signs for a maximum of 5 years, at which point, all signage on the property would have to come into compliance with the CMC and all other appropriate design standards.

Staff Representative Hull stated that the proposed electronic message board shall substantially conform to the provisions of the Zoning Ordinance, subject to the conditions of approval; that the proposed sign project will not be detrimental to the public welfare or the surrounding area, subject to the incorporation of the conditions of approval; and that the proposed electronic message/reader board is substantially in conformance with the General Plan Land Use designation, with the incorporation of the conditions of approval.

Staff Representative Hull stated that the Planning and Economic Development Department recommends to the Planning Commission approval of Conditional Use Permit Case No. 2674 in accordance with the findings incorporated into the staff report.

The Applicant, Captain Martin Ross, 736 E. Compton Blvd., Compton, thanked the Commission and Staff for the opportunity to be there. Capt. Ross stated that in the letter that he submitted Paragraphs 2 and 3 concisely states the effects of sign would be. The proposed sign because of its location is very much convey to all of citizens and businesses that are making a difference towards birthing a new Compton. The Salvation Army is one of the first to response to the City's façade for improvement particularly of the replacement of the old antiquated signage on prominent corner of the City. The sign is top of the line signage and it features in cost, as mentioned earlier the Salvation Army is more than happy to partner with the City in advertising many of the City's sponsored events and making a commitment in improving the City. Unofficially the Council persons had supported the concept of the sign because he had discussed this with them when he had started this process and sign rendering. He believes that the Commission will also support this community improvement project by the Salvation Army when so many businesses in the community have not step up to the plate to improve their properties as community citizens. He thinks this a wonderful project and they are glad to continue partner with the City in enhancing this new sign and highlight some the wonderful social services, recreation fitness, spiritual, summer and holiday programming, that make a difference in life of folks every day.

Resident, Mr. Frank Lawson, 434 W. Cedar St., Compton, stated that he has been a resident of Compton for over 30 years and a member of the Salvation Army for over 30 years. They have variety of different programs that need to be advertised. They have



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the Love Kitchen that feed on Monday night from 6:00 p.m. to 7:00 p.m. They will like to get this out to the community and let them know what the Salvation Army stand for.

Capt. Ross stated that they are willing to comply with everything that is listed in the conditions of approval. However, in Condition 6 where states that white and yellow lettering and sign is white and red and do not have the ability to change the LED. Therefore, he asks that, that condition be amended to allow them to use the red background with white lettering.

Mr. John Lankin, 2250 Lake Crest Lane, La Habra, stated that he has worked with the Salvation Army for over 4 years in several projects. Mr. Lankin is in support of the project.

Resident, Larry Edmonds, 611 W. Almond St., Compton, stated that he has been a resident of Compton for over 40 years, as well as a member of the advisory board of the Salvation Army. Mr. Edmonds believes that the sign will enhance the area and improve the City aesthetically. He asks the Commission to accept the recommendation of staff.

Resident, Mary Lawson, 434 W. Cedar St., Compton, stated that she is the coordinator and a member of the Salvation Army. She has been coordinating the meals of the Love Kitchen as a volunteer for over 30 years. As mentioned there is a banner in the building because that is how it advertises to the community that they are there and feeding the hungry and the homeless.

Resident, Lupe Torres, 209 N. Spring Ave., #D, Compton, stated that she is a member and an employee of the Salvation Army and believes that the sign is very vital to the Salvation Army because they have a pantry, social services, and counseling that a lot a people do not know that they offer all those services.

Resident, Tina Haro, 209 N. Spring Ave., #D, Compton, stated she a member of the Salvation Army and the President of the Teen Army, is here in support of the project.

Rev. Barby Saunders, Faith Inspirational, 402 S. Northwood Ave., Compton, stated that they are partners with the Salvation Army and are there in support of the sign.

Ms. Joye Abney, 1204 S. Chester Ave., Compton, stated that she is a co-founder of the Educated Association and the youth basketball program is associated with the Salvation Army and that sign will not only reach out the youth but to their parents. She strongly asks that the sign be considered.

Mr. Steven Winberly, Jr., 426 N. Exxon Ave., #2, Inglewood, stated that he is an employee of the Salvation Army helps out with the mentoring program, also works in the computer lab where they do have 10 computers, teach computer basic class both in

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English and Spanish. They have reached out to community and teach the basics mechanics of a computer from what is a mouse to Microsoft basics and is a certified class. Mr. Winberly is in support of the project.

Mr. Jerry Charles Glinsey, Jr., 409 S. Mayo Ave., Compton, stated that he is member of the Salvation Army and is in support of the sign.

Residents, Daniel Berry and Apryl Johnson, 408 S. Amantha Ave. Compton, stated that they are support of the new signage.

Ms. Norberta Arana, 1020 S. Grandee Ave., Compton, stated that she is in support of the sign.

Commissioner Darden asked for clarification in regards to Condition 6 if it can be change to white and red.

Staff Representative Hull stated that staff does not have an issue and it can be changed to read white, red or yellow.

Commissioner Darden asked for clarification in regards to Conditions 1, if the sign will only be valid for 5 years.

Staff Representative Hull stated that it going to be major upgrade, because what staff was thinking because it is a CUP we condition CUP's to have determined time to come back before the Planning Commission. Being that this is going to be an upgrade and it is in the vein of the Zoning Ordinance, particularly in the Sign Ordinance section or the Zoning Ordinance we don't have to restrict this.

Chairperson Green-Wright asked how it should be modified.

Staff Representative Hull stated that "shall only be valid for 5 years" can be taken out and that it shall end by shall be approved.

Staff Representative Hull recommends that Condition 3 shall read "That the electronic reader board shall only be used to advertise non-profit, faith based organizations, and/or City sponsored events, activities and/or functions".

Capt. Ross stated that they agree with the changes, but wanted to note that there is similar language in Condition 2.

Staff Representative Hull stated that condition can be removed.

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There being no further comments, Commissioner Darden moved to close the public hearing regarding **CONDITIONAL USE PERMIT CASE NO. 2674**. The motion was seconded by Commissioner Turner and carried unanimously.

Commissioner Turner moved to approved **CONDITIONAL USE PERMIT CASE NO. 2674** with corrections. The motion was seconded by Commissioner Darden. **CONDITIONAL USE PERMIT CASE NO. 2674** was approved unanimously.

### 5) OLD BUSINESS

Staff Representative Hull stated that he has a meeting with Prism Realty on Wednesday and will bring out the issue regarding the flooding.

Chairperson Green-Wright stated that she has already spoken with them and discussed the issue with the flooding, but apparently they are right with plans. She was glad to hear from them and to know that they are still involved with the project even though they are finish.

Staff Representative Hull stated that this month is National Bike Month. Today ended the essay contest in the Compton Unified School District, they were asked to submit an essay, 2 to 5 pages on the importance of riding a bicycle to reduce carbon. We received quite a few entries and on Tuesday the Director of Parks and Recreation, in his absence was presented a proclamation recognizing May as National Bike Month. The essays will be reviewed on Tuesday after the holiday at 2:00 p.m. for those Commissioners that are interested in volunteering.

### 6) NEW BUSINESS

None

### 7) COMMISSION COMMENTS

None

### 8) AUDIENCE COMMENTS

It was moved by Commissioner Turner that the meeting be adjourned. The motion was seconded by Commissioner Darden and carried unanimously.

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**DEREK R. HULL, DIRECTOR  
PLANNING AND ECONOMIC DEVELOPMENT**

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**JUANITA GREEN-WRIGHT,  
CHAIRPERSON**

