



## **PEC PUBLIC HEARINGS**

### **1. Conditional Use Permit No. 1028, 3950 Hardwick Street, #226 & #228, Request approval for operation of a massage establishment. (LUNA MASSAGE)**

Assistant Planner, Frankie Griffiths, (Assistant Planner Griffiths) presented the staff report and exhibits which recommended approval of Conditional Use Permit No. 1028, for approval for operation of a massage establishment, LUNA MASSAGE. These documents are on file with the Community Development Department. The Notice of Hearing was properly delivered and posted pursuant to the Lakewood Municipal Code and state law. Staff recommends that the Commission hold a public hearing and, following the hearing, move to adopt the attached proposed Resolution approving Conditional Use Permit No. 1028 subject to the findings and conditions contained therein or otherwise by reference and to approve the proposed categorical exemption. This project is categorically exempt under the CEQA Guidelines as amended. Assistant Planner Griffiths asked if there are any questions of staff.

**Chairperson Stuckey asked if there are any questions of staff.**

Commissioner Rowland asked what kind of clientele will be coming to this business?

Assistant Planner Griffiths stated that the applicant should answer that question.

Commissioner Rowland also asked if there are only five parking spaces?

Assistant Planner Griffiths stated the reference to five parking spaces was due to the current deficiency of the commercial center that it is located in. Frankie stated, however, that Assembly Bill 2097 gives an exemption to allow for the deficiency which does not prevent the planning staff from approving this.

Director McGuckian interjected that we cannot count all the parking in the area between Lakewood Boulevard and the shopping center because the City owns all that, but that area is available, too.

Commissioner Baca referred to Exhibit B which shows the entry and the exit doors. Being as these are two individual suites that were combined, he is wondering if the door in Suite 226 is now the exit door for Suite 228.

Assistant Planner Griffiths confirmed the exit door for the entire space is from Suite 226 and the only entry door will be into Suite 228, where the clientele will enter.

**Chairperson Stuckey opened the public hearing.**

**Chairperson Stuckey asked of applicant, "Have you read, and do you agree with all the proposed conditions of approval?" The business owner, Jokebet Rebatet, responded affirmatively.**

Commissioner Rowland re-asked his question about what would be the typical clientele?

Ms. Rebatet stated her main focus will be working with pain management, specifically with neck and shoulder pain that causes symptoms like migraines or vertigo. She has worked with clients who come in for sports therapy or others looking for a relaxation massage. Her main focus will be chronic pain, pain management, but she also has a full menu where clients can customize the massage service.

**Chairperson Stuckey asked if anyone in there is anyone in the audience who would like to speak on this item?**

There were none.

**Chairperson Stuckey asked the business owner if there is anything she would like to share about her establishment?**

Ms. Rebatet stated she went to school for massage because she struggled with back pain since she was age 13, so that has motivated her to want to help others with the same chronic pain. It really motivated her to open her own studio to help her community.

**There being no one else wishing to be heard on the matter, Commissioner Stuckey closed the public hearing.**

**Commissioner Rowland moved and Commissioner Garcia-Salas seconded approval of staff recommendation to approve Conditional Use Permit No. 1028, 3950 Hardwick Street, #226 and #228, and its related categorical exemptions, with amendments from staff.**

**Chairperson Stuckey said there is a motion and a second and called for a roll call vote.**

**AYES: COMMISSIONERS: Rowland, Garcia-Salas, Baca and Stuckey  
NOES: COMMISSIONERS: n/a  
ABSENT: COMMISSIONERS: Cole  
ABSTAIN: COMMISSIONERS: n/a**

**Chairperson Stuckey announced that the Motion passed unanimously.**

**2. Conditional Use Permit No. 774, A-1, 11767 Carson Street, Request approval to amend CUP No. 774 to allow the sale of alcoholic beverages for off-site consumption in quantities of three or more per package. (7-ELEVEN)**

Planning Technician, Michelle Santiago, (Planning Technician Santiago) wanted to correct a typographical error in the Summary section of her staff report from stating that the proposed use from “would” to “would not” impact the law enforcement services. The

Sheriff's Report correctly states that they do not see any negative adverse law enforcement issues.

Planning Technician Santiago then presented the staff report and exhibits which recommended approval of Conditional Use Permit No. 774, A-1, for approval to amend CUP No. 774 to allow the sale of alcoholic beverages for off-site consumption in quantities of three or more per package. Previously it has been restricted to packages of six or more. These documents are on file with the Community Development Department. The Notice of Hearing was properly delivered and posted pursuant to the Lakewood Municipal Code and state law. Staff recommends that the Commission hold a public hearing and, following the hearing, move to adopt the attached proposed Resolution approving Conditional Use Permit No. 774, A-1, subject to the findings and conditions contained therein or otherwise by reference and to approve the proposed categorical exemption. This project is categorically exempt under the CEQA Guidelines as amended. Planning Technician Santiago asked if there are any questions of staff.

**Chairperson Stuckey asked if there are any questions of staff.**

There were no questions.

**Chairperson Stuckey opened the public hearing.**

**Chairperson Stuckey asked of applicant, "Have you read, and do you agree with all the proposed conditions of approval?" Applicant, Bruce Evans, representing 7-Eleven, responded affirmatively.**

Bruce Evans thanked the Planning Department for their professionalism throughout the process. Mr. Evans stated he brought Fiselle Nemon who has been the Franchisee at this location for 13 years, seven days a week. They believe this is a modest amendment to the CUP. They will not increase the display area of alcoholic beverages. This is just to allow the store to sell a greater variety of brands and products to their customers. They stated they are happy to answer any questions.

**Chairperson Stuckey asked the Commissioners if they have any questions of the owner.**

There were none.

**Chairperson Stuckey asked if there are any other speakers on this matter?**

There were none.

**There being no one else wishing to be heard on the matter, Commissioner Stuckey closed the public hearing.**

**Commissioner Garcia-Salas moved and Chairperson Stuckey seconded approval of staff recommendation to approve Conditional Use Permit No. 774, A-1, 11767 Carson Street, and its related categorical exemptions, with amendments from staff.**

**Chairperson Stuckey said there is a motion and a second and called for a roll call vote.**

**AYES: COMMISSIONERS: Rowland, Garcia-Salas, Baca & Stuckey  
NOES: COMMISSIONERS: n/a  
ABSENT: COMMISSIONERS: Cole  
ABSTAIN: COMMISSIONERS: n/a**

**Chairperson Stuckey announced that the Motion passed unanimously.**

**REPORTS:**

**1. Six-month review of Conditional Use Permit No. 1013, 5227 Lakewood Boulevard, - SAVERS.**

On May 4, 2023, the PEC Commission adopted a Conditional Use Permit 1013 (CUP 1013) for SAVERS, which is a second-hand store. Condition J of Section 4 of Resolution 4-2023 requires a six-month review and a one-year review from the date of approval of that Resolution. Senior Planner, Paul Kuykendall, (Senior Planner Kuykendall) presented his staff report of a six-month review of Conditional Use Permit 1013. The report outlined some current deficiencies with the current operations, namely; external storage of goods on the west side of building in sorting racks and pallets that consume required parking, missing 'NO LOITERING" signs, missing or inoperative cameras and incorrect signs that state collection hours extend to 8 pm, when the conditions of approval limit that to 7 p.m.

Staff will work with the operators of Savers over the next few months to correct these deficiencies and will return to the Commission in six months with another review. Staff's recommendation is to receive and file the staff report and direct staff to work with the applicant to confirm full compliance with Resolution 4-2023. Senior Planner Kuykendall asked if there are any questions of staff.

Commissioner Baca mentioned the state-of-the-art safety systems, but on the recommendation, you mentioned you would return with a one-year review, but did you say you will be returning with a six-month review now?

Senior Planner Kuykendall stated the Resolution states a six-month review and a one-year review from the date of approval of the Resolution, so this is the six-month review, and six months from now will be the second review, which is one year from the date of approval of the Resolution.

Commissioner Baca stated that clarified it for him.

Chairperson Stuckey questioned if we have to wait six months?

Senior Planner Kuykendall responded with we will reach out to the owner or operator and have them begin resolving the items brought up in the staff report. The outdoor storage can be resolved quickly—other things like having “No Loitering” signs made may take 30-60 days to have them manufactured and installed.

Chairperson Stuckey stated the camera will probably take a couple of months to get that up and running.

Senior Planner Kuykendall stated that would take longer, but it should not take longer than six months to either repair the camera or replace it.

Director McGuckian clarified if Chairperson Stuckey’s question is could we come back with a review sooner than that?

Chairperson Stuckey affirmed and asked if we could come back in three months.

Director McGuckian stated it is within the prerogative of the Commission, and Senior Planner Kuykendall agreed.

Chairperson Stuckey then stated she would request three months.

Director McGuckian stated we could now do a nine-month and a 12-month review, and she can instruct staff to do that.

Chairperson Stuckey stated she would prefer a three-month review since there are multiple violations.

City Attorney, Ivy Tsai, asked if there is a consensus among the Commissioners to bring this matter back in three months?

There was a consensus by the Commissioners.

Commissioner Rowland stated he is also concerned about the exposed box as he feels that is a big issue.

Senior Planner Kuykendall stated those could be low-voltage irrigation, but that is something that Savers will need to resolve—either remove it or repair it.

Director McGuckian stated that the entire alley has been problematic over the years in terms of scavenging, and it may have been vandalism that caused it, but it does need to be repaired. Another thing that is highlighted is where all the storage was, was supposedly the parking for the staff, and it is all gone with storage. We do have the recourse of making this a code enforcement case, if necessary, but we will see if we can get these resolved through cooperation.

The camera system was required to be in place before final occupancy, so if inoperative, it would be repaired. If it does not exist, then that was a failure on our part. Senior Planner Kuykendall stated there are cameras but they may not be operating in the manner required.

Chairperson Stuckey stated that the Commission will receive and file the six-month review with a provision that staff will return in three-months with another review.

## **2. Housing Element Implementation Program Workshop.**

Senior Planner Kuykendall presented his staff report on the Housing Element Implementation Program that will propose a series of three ordinances that will address regulation modifications. The purpose of this Workshop is to provide the Commission with a foundation for establishing procedures and standards for certain proposed regulations which are required to be adopted as part of the City's 2021-2029 Housing Element Update as required by the State of California. The first ordinance will include establishing or modifying regulations for Inclusionary (affordable) Housing requirements; Farmworker Housing development standards; and facilitate Reasonable Accommodation standards for disabled people to allow modifications to existing standards when applying land use and zoning regulations and procedures that adversely impact necessary accommodations. Senior Planner Kuykendall asked if there are any questions of staff.

Commissioner Baca stated that Senior Planner Kuykendall mentioned that we are one of the cities that does not have a lot of land to develop at this point, and he asked if the HCD takes that into consideration from city to city?

Senior Planner Kuykendall stated the HCD has different formulas that they use when they assign the Regional Housing Needs Assessment, or RHNA for short. Whether or not there is vacant or underutilized land is not really taken into consideration by the HCD. Their goal is to increase densities, so rather than having two or three-story residential buildings, they want 6-8 story residential buildings. They want densification as opposed to sprawl. The City's Housing Element identified underutilized sites that can be developed with greater density by amending our Multi-Family Residential Standards for apartments and condominiums. The City can allow greater density in these areas and more units can be built that will assist the City to achieve part of its RHNA goal.

Chairperson Stuckey asked in Lakewood, what do we consider underutilized land?

Senior Planner Kuykendall stated for example, if you have a property in the multi-family residential zone, and based on the site size or acreage of that property under the Housing Element, maybe you will be able to build up to 30 units per acre on that property, and the property is currently developed with only a duplex. Under the allowed density, you could add more units or replace what is there with a higher density project, and that is what the Housing Element identified.

City Attorney Ivy Tsai (City Attorney Tsai) stated to the Commissioners that this would be a menu of options allowed by our Code for a developer to consider in terms of alternative compliance, so she informed the Commissioners that they are deciding on the menu of allowable options at this point.

Chairperson Stuckey asked if we could consider all of the alternative compliance options or should they limit the options?

Senior Planner Kuykendall stated he will explain the alternatives, and then the Commission can decide which are more practical for Lakewood and which are not.

Senior Planner stated that the staff recommendation is that the Planning and Environment Commissioner consider the alternatives, direct staff to present a draft ordinance to the Commissioner pertaining to Inclusionary Housing, Farmworker Housing and Reasonable Accommodation. Furthermore, direct staff to conduct a workshop at the next Commission meeting pertaining to residential care facilities and updating the City's Multi-Family Residential Development Standards.

In addition, there are some things the Commission requested that staff will bring back for further consideration next month. We will then incorporate those ideas into a proposed Ordinance., including the thresholds of affordability and when someone has to build a unit versus paying in lieu fees.

City Attorney Tsai addressed the Commission informing them that staff is looking for direction from the Commission to prepare the draft Ordinances as discussed and to schedule a future Workshop.

**Chairperson Stuckey moved and Commissioner Baca seconded approval of the staff recommendation to prepare the draft Ordinances as discussed and to schedule a Workshop at the next meeting on January 9, 2025.**

**AYES: COMMISSIONERS: Rowland, Garcia-Salas, Baca and Stuckey**  
**NOES: COMMISSIONERS: n/a**  
**ABSENT: COMMISSIONERS: Cole**  
**ABSTAIN: COMMISSIONERS: n/a**

**PUBLIC COMMENTS:**

There were none.

**STAFF COMMUNICATIONS:**

Director McGuckian stated there are two other ordinances staff is working on. One that will not come to the Planning Commission, as it is in Title 4, and therefore it was reviewed by the Public Safety Commission—regarding Shopping Cart regulations to discourage theft and encourage retention, that will be going to City Council on January 14, 2025.



The second ordinance is the 2024 LMC Update Ordinance that will now be retitled to be the 2025 LMC Update Ordinance that Director McGuckian is working on to do a clean-up ordinance every one or two years to update the City's regulations to changes in state law and local procedures. That will be coming to the Commission in February.

The third item is that there were interviews for a Community Development Director and a new Director will be chosen from that group. He understands that person will probably be on board before the end of January and in time for the February PEC Meeting.

Merry Christmas and Happy New Year to all!

Director McGuckian also wanted to announce is that we are looking at the 2050 General Plan Update—re-envisioning where the City is going and where it will be by the year 2050.

Senior Planner Kuykendall stated we have sent out Request for Proposals to several consultants, and we received proposals, four of which are well-qualified. We are scheduling interviews next month, then after we select one, we will take it to City Council for approval.

**ADJOURNMENT:** The meeting was adjourned at 8:45 p.m.

The next regularly scheduled meeting will be on January 9, 2025.



Secretary