

- 2024 General Plan Annual Report
- AB 1332 (Preapproved ADU Program)
- SB 937 (Defers Collection of Development Fees to Occupancy)

PEC PUBLIC HEARINGS

1. Conditional Use Permit No. 1029, 5220 Clark Avenue, #445, Request approval for operation of a massage establishment. (HEAL THE PAIN)

Assistant Planner, Frankie Griffiths, (Assistant Planner Griffiths) presented the staff report and exhibits which recommended approval of Conditional Use Permit No. 1029, for approval for operation of a massage establishment, HEAL THE PAIN. 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. 1029 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.

Assistant Planner Griffiths noted that an error was made on the staff report, which incorrectly states that Elizabeth Royce is a current massage therapist operating at this location.

Chairperson Stuckey asked if there are any questions of staff.

Commissioner Cole ask a question regarding how long the conditional use permit would be effective, if approved.

City Attorney, Ivy Tsai, stated that a conditional use permit is in perpetuity.

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 applicant, Wanda West, asked a question regarding the six-month review process. Assistant Planner Griffiths explained the process, and Ms. West responded affirmatively to accepting the proposed conditions of approval.

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

Robert Tracy Phillips, Leonard Scott, and Tyree Childs, spoke in favor of the proposed project and discussed their experience with pain relief through massage therapy.

Chairperson Stuckey asked the applicant if there is anything applicant would like to share about applicant's establishment?

The Applicant, Wanda West, gave a brief history regarding how she began doing medical massage and stated that she has been doing medical massage therapy for approximately 20 years.

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

Commissioner Cole moved and Commissioner Garcia-Salas seconded approval of staff recommendation to approve Conditional Use Permit No. 1029, 5220 Clark Avenue, #445, 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: Garcia-Salas, Baca, Cole, Stuckey
NOES: COMMISSIONERS: n/a
ABSENT: COMMISSIONERS: Rowland
ABSTAIN: COMMISSIONERS: n/a

REPORTS:

- 1. Six-month review of Conditional Use Permit No. 1022, 3950 Hardwick Street, #206, - REMEDIAL CARE, LLC.**

On May 2, 2024, the PEC Commission adopted a Conditional Use Permit 1022 (CUP 1022) for REMEDIAL CARE, LLC, which is a massage establishment. Condition D of Section 4 of Resolution 8-2024 requires a six-month review from the initial date of the opening of the business. Planning Technician, Michelle Santiago, (Planning Technician Santiago) presented her staff report of a six-month review of Conditional Use Permit 1022.

Chairperson Stuckey asked if there are any questions of staff. There were none.

Chairperson Stuckey stated that the Commission will receive and file the six-month review.

- 2. Housing Element Implementation Program Workshop.**

Senior Planner Kuykendall presented his staff report on the Housing Element Implementation Program (HEIP) that will propose a series of ten topics organized into three ordinances that will address regulation modifications. The purpose of this first 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 and workshop 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 asked a question regarding the median rate for in-lieu fees and what other cities have similar population to the City of Lakewood.

Senior Planner Kuykendall stated, other than population, there are other characteristics and variables that are taken into consideration for this 6th cycle update.

Vice Chairperson Cole asked a question whether the in-lieu fees are Staff's strategy to address Lakewood's housing goals, and whether it is a one-time fee.

Senior Planner Kuykendall stated affirmatively to the one-time fee and further discussed the in-lieu fees as they relate to smaller, mid-range, and larger development projects.

Vice Chairperson Cole asked what other inclusionary housing projects does the City have in mind if the developer opts to just pay the in-lieu fees, rather than constructing the required 15% inclusionary housing units.

Senior Planner Kuykendall answered that the State is pushing towards constructing these types of projects.

Commissioner Baca expressed concerns about the in-lieu fee of \$15.76 per square foot average on for-sale unit fee and asked what other cities are doing that better aligns with Lakewood with all the other variables.

Senior Planner Kuykendall stated that Lakewood is geographically similar to the cities of Alhambra, Downey, and Santa Ana.

Chairperson Stuckey asked for clarification regarding the definition relating to by-right projects.

Senior Planner Kuykendall stated that such projects are ministerial approvals, and that a city cannot require these projects to go to Planning Commission or City Council for approval.

Acting Director McGuckian made clarifications regarding objective standards and the difference between ministerial and discretionary approvals.

Commissioner Baca asked a question regarding utility panels and whether they would be pre-wired for electric vehicle (EV) charging stations.

Senior Planner Kuykendall stated that the development standards being discussed are aesthetic standards.

Acting Director McGuckian made clarifications regarding the development requirements for EV charging stations.

City Attorney Tsai clarified that, in response to state mandated requirements relating to housing, staff is asking for the Commissions' policy input for implementing development standards in areas where the City has some discretion.

Chairperson Stuckey asked a question regarding whether a business license is required for residential care facilities.

Senior Planner Kuykendall explained that they should get a business license, but that is not always the case, adding that these types of facilities are regulated by the state.

Commissioner Baca asked for clarification regarding the standards that are set by the state relating to residential care facilities.

Senior Planner Kuykendall discussed that cities do not have the ability to regulate the standards set by the state for residential care facilities but can only have objective standards.

Vice Chairperson Cole asked whether the number of people in a residential care facility is the only standard that distinguishes a small residential care facility from a large residential care facility.

Senior Planner Kuykendall stated that there are different type of facilities and further research would be necessary.

City Attorney Tsai clarified that the City does not regulate the residential care facilities and that staff is looking for approval to accept Staff's recommendation to move forward with the ordinance. Ms Tsai noted that Staff is looking for direction and will do further study to answer questions raised and then bringing it back to the Commission.

Commissioner Stuckey moved and Commissioner Cole seconded approval of the staff recommendation to prepare the draft HEIP Ordinances as discussed and scheduled a Workshop for February 6, 2025.

AYES: COMMISSIONERS: Garcia-Salas, Baca, Cole, Stuckey

NOES: COMMISSIONERS: n/a

ABSENT: COMMISSIONERS: Rowland

ABSTAIN: COMMISSIONERS: n/a


PUBLIC COMMENTS:

There were none.

STAFF COMMUNICATIONS:

ADJOURNMENT: The meeting was adjourned at 8:16 p.m.

The next regularly scheduled meeting will be on February 6, 2025.



Secretary