

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

November 13, 2008

Chair Fellhauer 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
Chair Fellhauer led the Pledge of Allegiance to the Flag.	PLEDGE TO FLAG
PRESENT: FELLHAUER, WAGNER, ROTOLO, FUENTES, and BALDINO.	ROLL CALL
None.	PUBLIC COMMUNICATIONS
Chair Fellhauer presented the Consent Calendar.	CONSENT CALENDAR
None.	CALL ITEMS FROM CONSENT
Commissioner Rotolo moved, seconded by Commissioner Baldino, to approve the October 23, 2008, Minutes, as amended. Motion carried (5-0).	MOTION
Planning Manager Kim Christensen read into the record: 1) a letter from Howie's Doggie Daycare dated November 5, 2008 for Luis Morales; 2) a Revised Resolution No. 2648 (in both a strikeout/underline version and a clean final version); and 3) 2009 Planning Commission Meeting Calendar.	WRITTEN COMMUNICATIONS
Chair Fellhauer presented Agenda Item H-2, Environmental Assessment No. 748 and Conditional Use Permit No. 07-03. Applicant: G-Dogs, P.D.S. c/o Susane Corrales (dba Grateful Dogs' Club). Property Owner: Novak Enterprises. Address: 202 Illinois Street.	NEW BUSINESS - PUBLIC HEARING EA-748 and Conditional Use Permit No. 07-03
Assistant Planner Maria Baldenegro presented the staff report (of record.)	
<u>Debbie Axler, Grateful Dogs owner</u>	
Ms. Axler stated that she is available to answer questions.	
Commissioner Baldino questioned Ms. Axler regarding the storm drain on running off into the street.	
Ms. Axler replies that they've switched the connection and that it is now connected to the sewer pipe so that it will drain correctly.	
Commissioner Rotolo asked Ms. Axler about where the drained area is located for the dogs to urinate in.	
Ms. Axler described the location.	
Vice Chair Wagner stated that he is concerned about the 6-inch curb and would like it to go from the parking lot to the far east side of the property so that the	

urine won't drain to the street.

Ms. Axler replied that the turf is diamond cut and underneath it is cement so that it will natural drain into the sewer and that she understands that the existing curb is 4 inches high and that they will have to make it 6 inches high.

Commissioner Baldino inquired if the original Conditional Use Permit allowed retail and dog training on site.

Ms. Axler responded that she remembered it to be a question that came up originally when no permit was required other than that a Conditional Use Permit was only needed to utilize the outside area. At that time the additional interior space was not available.

Commissioner Fuentes asked if sales tax is collected.

Ms. Axler replied yes to Ms. Fuentes' question.

Planning Manager Kimberly Christensen clarified that retail sales is a "permitted by-right" use in the Zone and that retail sales does not require a conditional use permit.

Commissioner Rotolo raised concerns about the dogs barking through the screen and asked if Ms. Axler will be willing to change the screen out to a hundred percent solid shading.

Ms. Axler was under the impression that a wall was being built along the north property line with the new development but she stated that she had no problem complying with the request for complete shading.

Commissioner Fuentes asked Ms. Axler for clarification regarding if her request for 100 dogs during the day and 65 dogs during the night is cumulative for 165 dogs total or if the request is for a maximum of is100 dogs.

Ms. Axler replied that the request is for a maximum of 100 dogs.

Luis Morales, owner of Howie's Doggie Care

Mr. Morales read his letter dated November 5, 2008 to the Commission regarding his concerns and stated that he is available for questions.

Vice Chair Wagner commented about Mr. Morales complaints regarding loud noise and foul odor indicating that the City has no barking or foul odors reports on record with animal control.

Chair Fellhauer asked Ms. Axler to clarify if the dogs that are outside during the evening hours between 9:00 to 9:30 hours of operation are supervised.

Ms. Axler stated that the dogs are always supervised.

Brady Van Hall, El Segundo homeowner

Mr. Van Hall stated that he is a home owner of El Segundo for the past 3 years and that he is a client of Grateful Dogs for the past year and a half. He stated that his dog is like his child and just like any parent he wanted to find the best

school and that he is was happy he found that at Grateful Dogs.

Michael McHaverty

Mr. McHaverty stated that he is blessed by the service at Grateful Dog. He has a 3 year-old Labrador named Katie who has a kidney condition and is forced to be a vegetarian. He stated that the Grateful Dogs' owner keeps him informed about her condition. Mr. McHaverty commented that he thinks Grateful Dogs is the star of El Segundo.

Carol Lowe, El Segundo resident

Ms. Lowe stated that she is a recent rescue dog owner for about a year and a half. She stated that her dog is a special needs dog, and that she was overwhelmed by the amount of care that was needed for her dog. She stated that she thought about returning her dog but thanks to Grateful Dogs knowledge about dogs and care she was able to keep him. Ms. Lowe congratulated the Grateful Dogs' owner for being a great, all women-run business.

Jennifer Nittenheimer, Employee of Grateful Dogs

Ms. Nittenheimer stated that the staff's first concerns are always the dog's health, safety, and happiness. She stated that she is a first aid and CPR instructor and teaches staff first aid and CPR for the dogs. Ms. Nittenheimer commented that staff goes through extensive behavior training to be able to work with different dog behavior types.

Commissioner Rotolo asked Ms. Nittenheimer to explain CPR for dogs.

Ms. Nittenheimer commented that it is not simple to explain. She stated that she teaches a 4 to 8 hour class that covers: shock, poisoning, snake bite, freezing, and bleeding.

Kimmie Claussen, El Segundo resident

Ms. Claussen commented about Mr. Morales complaint and request to reduce the number of dogs that are currently housed at Grateful Dogs. She stated that she thought that a large ratio of El Segundo residents use Grateful Dogs and she believes it will be a huge inconvenience to many people.

Chair Fellhauer stated that she paid Grateful Dog a surprise visit today and found the staff courteous making sure that a stranger was not on the premises and that is seemed to be a well run establishment with an ample amount of space.

Commissioner Baldino stated his concerns that at first after reading the packet that they did not comply with the original conditional use permit but after visiting the website it looks like it's a well run facility and clean. He pointed out that the hours of operation are from 7:00 to 7:00 under the old conditional use permit.

Commissioner Fuentes, after asking Ms. Axler about adhering to the 100 dog maximum, stated that she is concerned that they've already exceeded the number of dogs by two hundred percent and that she did not get a firm commitment that they won't exceed the one hundred dog maximum being requested.

Commissioner Rotolo indicated that he had two concerns. The first is that he would like to strike the words "plastic lattice" in Condition No. 8 as an option to the fencing requirement and to require solid screening with no gaps in the fence both from side to side and all the way to the ground. He stated that his second concern relates to changing the wording in Condition No. 28 so that staff would be able to access the building.

City Attorney Karl Berger addressed the Commission and stated that this is not a highly regulated type of business. He stated that using a liquor store or a bar as an example, the City would be required to obtain an administrative warrant to access the building without the voluntary compliance of the business owner. Mr. Berger stated that if the Commission wished to include a requirement to allow city staff access to the property in the conditions of approval he would like to ask the business owner to go on record that they would agree to the condition. He proposed language as follows "The applicant must provide access during all regular business hours to city representative(s) to inspect the building and other outdoor play area to insure compliance."

Chair Fellhauer reopened the Public Hearing.

Chair Fellhauer questioned the applicant if she agreed to an additional condition of approval being added that would allow the city to inspect the facility at anytime.

Ms. Axler stated "yes" she would allow the city to inspect the facility at any time but for safety reasons relating to both the animals and the inspector she would need some advance notice (about 1 hour) so she could get the animals caged.

Commissioner Rotolo questioned if their log or roster is kept on an ongoing basis if and if they will be willing to show the journal entry for the day if requested.

Ms. Axler stated "yes."

City Attorney Karl Berger suggested a change to the Condition No. 28 so that it would read as follows: "During regular business hours the applicant must allow access to the building and other outdoor areas, including without limitation, building records relevant to this Conditional Use Permit, to any authorize city representative to ensure compliance with this conditional use permit."

MOTION

Commissioner Rotolo moved, seconded by Commissioner Baldino, to approve Environmental Assessment No. 748 and Conditional Use Permit No. 07-03, with modifications to the Condition No. 8, 25-28, and to adopt Resolution No. 2648. Motion carried (5-0).

None.

Planning and Building Safety Director Greg Carpenter congratulated Venus Wesson as the "Employee of the Month" for October. He also wished everyone a Happy Thanksgiving.

**CONTINUED
BUSINESS- PUBLIC
HEARING**

Planning Manager Kimberly Christensen informed the Commission that there will be a special meeting on December 4, 2008 and a regularly scheduled meeting on December 11, 2008. Ms. Christensen reminded that Commission that ethics

**REPORT FROM
PLANNING AND
BUILDING SAFETY**

training is scheduled on November 20th from 6:00 – 8:00 p.m. in the Council **DIRECTOR**
Chambers.

Commissioner Fuentes thanked every veteran in honor of Veteran’s Day.

Commissioner Rotolo congratulated the Tree Musketeers for the “Community
Veteran” award given by the El Segundo Chamber of Commerce.

None.

**PLANNING
COMMISSIONERS
COMMENTS**

Chair Fellhauer made a motion to adjourn the meeting.

OTHER BUSINESS

The meeting adjourned at 8:36 p.m.

PASSED AND APPROVED ON THIS 13th DAY OF NOVEMBER, 2008.

ADJOURNMENT

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

Marie Fellhauer, Chair
Planning Commission
City of El Segundo, California

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