

## MINUTES

### CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION

*Helen Kawagoe Council Chambers, 2<sup>ND</sup> Floor  
701 East Carson Street, Carson, CA 90745*

*April 12, 2016 – 6:30 P.M.*

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|-------|-------------------------------------|--|
| 1.    | <b>CALL TO ORDER</b>                | Chairman Diaz called the meeting to order at 6:32 P.M.   |
| 2.    | <b>PLEDGE OF ALLEGIANCE</b>         | Commissioner Post led the Salute to the Flag.  |
| 3.    | <b>ROLL CALL</b>                    | <p>Planning Commissioners Present: Andrews, Diaz, Fe'esago, *Mitoma, Post, *Thomas</p> <p>*(Commissioners Mitoma and Thomas arrived at 6:37 P.M.)</p> <p>Alternates Present: Cinco, Palmer</p> <p>Planning Commissioners Absent: Guidry, Madrigal, Pimentel – all excused</p> <p>Planning Staff Present: Planning Manager Naaseh, Assistant City Attorney Gerli, Senior Planner Rojas, Recording Secretary Bothe</p> |
| 4.    | <b>AGENDA POSTING CERTIFICATION</b> | Recording Secretary Bothe indicated that all posting requirements had been met.  |
| 5.    | <b>AGENDA APPROVAL</b>              | Chairman Diaz approved the Agenda as submitted. No objection was noted (Mitoma and Thomas had not yet arrived; absent Guidry, Madrigal, Pimentel).   |
| 6.    | <b>ORAL COMMUNICATIONS</b>          | For items <b>NOT</b> on the agenda. Speakers are limited to three minutes. None  |
| 7.    | <b>CONSENT CALENDAR</b>             | None   |
| <hr/> |                                     |  |
| 8.    | <b>CONTINUED PUBLIC HEARING</b>     | None   |

**9. PUBLIC HEARING**

**A) Design Overlay Review No. 1579-15 and Variance No. 557-15**

Applicant's Request:

The applicant's representative, Ralph Deppisch, is requesting construction of a new 47,920-square-foot neighborhood retail center on a property zoned SP-2-CN (Specific Plan No. 2, Neighborhood Commercial). The subject property is located at 1281 University Drive.

Staff Report and Recommendation:

Senior Planner Rojas presented staff report and the recommendation for the Planning Commission to APPROVE subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. \_\_\_\_\_, approving Design Overlay Review No. 1579-15 and Variance No. 557-15 for the construction of a new 47,920-square-foot neighborhood retail center located at 1281 University Drive.

Commissioner Mitoma expressed his concern that an updated CEQA study was not performed; stated that the original approval for this site was for a technology center; and asked why a 10-percent parking space reduction is allowed.

Senior Planner Rojas explained that the adopted specific plan for this site envisioned it be occupied by a neighborhood commercial center that would complement the industrial center, which starts directly across the street; and advised that this proposed project is consistent with the specific plan that was adopted in 1990. He explained that the specific plan for the Dominguez Technology Center allows for a reduction of up to 10 percent in required parking spaces; and pointed out that this developer is only requesting a 2-percent reduction, which equates to six parking spaces and is well within that allowance. He explained that since this project is consistent with the EIR, there was no need to perform another CEQA study; and that according to state law, the city has that discretion to determine whether additional analyses are necessary as long as a project and its impacts are fully evaluated within the EIR.

Commissioner Mitoma asked if the Planning Commission can require an updated CEQA study be performed.

Assistant City Attorney Gerli stated that she would have to research the answer to that inquiry and get back to the Commission at a later date.

Commissioner Post advised, echoed by Chairman Diaz, that she attended the community meeting wherein this project was presented to the residents; stated she was impressed with the project; advised that there were a lot of residents in attendance; and that there were a lot of questions and answers given during that meeting. She added that one of the main issues of concern was that this center provide quality tenants.

Addressing Commissioner Thomas' inquiry regarding page 4, second paragraph, Senior Planner Rojas stated that the correct figure should be a 10-foot setback, not a 25-foot

setback; stated that the architectural spires reach a height of 50 feet; and advised that Condition No. 43 does not apply and will be deleted.

Commissioner Thomas agreed with Commissioner Mitoma's comment on an updated CEQA study; he addressed his concerns with the impacts to residents living near drive-through uses, which are planned for Pad Nos. 1 and 3; and asked what the hours of operation will be for those drive-throughs.

Commissioner Fe'esago asked what was the general impression of the residents who attended the community meeting.

Planning Manager Naaseh expressed his belief they were supportive of this proposal; that one major issue of concern was that this center be occupied by high-end uses; and that this project not create traffic, noise, or other negative impacts to the neighborhood. He stated that the applicant did a good job in explaining the project and answering their questions. He added that the applicant was not able to answer the questions about which tenants will be coming into this center, as they are still going through the beginning approval process; but that their proposed rents and high-end development will require high rents which will require quality tenants who can afford to pay those rents.

Commissioner Fe'esago stated he is concerned with changing the setback from 100 feet to 10 feet, believing this will have a greater impact on the nearby neighbors.

Commissioner Post stated there were no concerns expressed by the community about the reduced setbacks, but that the main topic of concern was having quality tenants.

Chairman Diaz opened the public hearing.

Ralph Deppisch, representing Carson Companies, stated that this high quality project was designed to be in sync with the needs and concerns of this neighborhood and surrounding community, one that will support both daytime and evening populations. He pointed out that an updated, detailed traffic study was undertaken and had concluded there were no traffic impacts that would create any level of service below a "C," if not better. He added that the specific plan had envisioned and studied a 100,000-square-foot neighborhood shopping center, but advised that this center is less than 50 percent of that specification which was approved in the specific plan and that it will have less of an impact than what was anticipated in the 1990 specific plan. He expressed his belief there was an oversight with the setback in the specific plan when it called for the retail center to have a 100-foot setback, pointing out this is rarely, if ever, done with a retail center; and explained that that large of a setback is typically associated with industrial centers with multi-story buildings, not small commercial centers. He noted the importance of designing for safe/adequate egress/ingress, visibility, and proper signage to attract businesses and customers to support this center for daytime and evening uses. He expressed his belief there was positive input from the community; and noted that the residents expressed their desire to see upscale uses in this center.

Chairman Diaz asked the applicant to address the inquiry regarding the hours of operation.

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Mr. Deppisch anticipated that the businesses, with the exception of the two drive-throughs, would be typical daytime hours, such as from 6:00 a.m. or 7:00 a.m. until 11:00 P.M. or midnight. He added that a typical drive-through would be a 24-hour operation, but added that they intend for these two drive-throughs to be high-end users, such as Chick-fil-A or Farmer's Brothers; and stated that while they have not yet secured any of that interest, they will be starting an aggressive marketing campaign in the next three months. He noted that with the deletion of Condition No. 43, and the condition requiring CC&R's for this one parcel, they are in agreement with the conditions of approval.

Commissioner Mitoma asked if a specific grocery market is within their sights.

Mr. Deppisch indicated it may be something along the lines of an Aldi or Whole Foods 365; and explained that the anchor tenant is paramount to the success of a center in bringing forth high quality uses that can pay these high-end rates to support this center.

Commissioner Thomas asked what, if anything, can be put in place to make sure that once the approvals are given, that the applicant follows through with their promise to bring in quality tenants and a grocery store.

Assistant City Attorney Gerli stated she would have to research whether the City can lawfully impose a condition that requires the applicant to fulfill their promise to bring in only quality uses and a grocery store.

Mr. Deppisch confirmed that they are 100 percent committed to bringing in quality tenants who can support the success of this center, to support this development to the standards they have designed; and he added that the way this center has been designed, they cannot afford to bring in discount groups.

Commissioner Thomas reiterated his concern with potential noise impacts to the nearby neighborhood and the outdoor patio uses and the hours of operation for the two drive-throughs, especially with Pad No. 1.

Mr. Deppisch explained that the use for the corner closest to the neighbors would be more to serve daytime, early evening uses, such as a sandwich shop, but stated that those hours of operation may be flexible. He stated that it is not uncommon to consider a time restriction to allow for a drive-through use, such as requiring the business to close at 2:00 a.m., for example; but pointed out they prefer to have 24-hour operation for the drive-throughs to appeal to a more select use. He added that there will be no activity facing onto University, other than the corner patio area; that there will be trash enclosures throughout the site; and stated there will be a pedestrian walkway around the site.

Harry Wilson, resident, indicated that his main concern is with the drive-through restaurants and the noise and traffic at all hours of the night; and stated he is opposed to any drive-through business at this site; and stated that every business at this center should close no later than 11:00 p.m. He asked that only quality uses be permitted; and asked if there will be full-time security onsite.

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Addison Carter, resident, stated he is concerned with safe egress from this site; asked if the circuit bus will be permitted on this property; asked whether the developer will install perimeter sidewalks; and expressed his belief this is a quality project.

Robert Leslie, resident, stated that the impacts to noise, traffic, and air quality should be studied with the most updated regulations; and stated that this site should include a nice grocery store.

There being no further input, Chairman Diaz closed the public hearing.

Commissioner Palmer asked if a conditional use permit is needed for a drive-through.

Planning Manager Naaseh stated the specific plan does not require a conditional use permit for this site.

Planning Commission Decision:

Commissioner Mitoma moved, seconded by Commissioner Andrews, to continue this matter to the Commission's May 10, 2016, meeting to allow additional time for the City Attorney's Office to research whether additional environmental review is needed beyond the 1990 Specific Plan EIR and whether the applicant can be conditioned to bring in a quality grocery store to this site.

By way of a friendly amendment, Commissioner Thomas asked that the motion include not just looking at the grocery store as an appropriate tenant but also to research whether the City has authority to require quality tenants; and to also include in the research the ability to regulate the hours of operation for the pad sites, questioning what options are available and have been utilized in similar infill locations close to residential uses. He asked whether the applicant would be agreeable to adding square footage to the anchor store by eliminating a drive-through use.

The motion carried as follows:

AYES: Andrews, Fe'esago, Mitoma, Thomas, Diaz  
NOES: Cinco, Palmer, Post  
ABSTAIN: None  
ABSENT: Guidry, Madrigal, Pimentel

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<b>10. NEW BUSINESS DISCUSSION</b>	None
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**11. MANAGER'S REPORT**

Planning Manager Naaseh advised there will be some moratoriums and ordinance amendments relating to convenience stores, convenience stores with gas, and discount stores; and that staff will be setting up a few, small Planning Commission workshops to address these issues before they come before the full Planning Commission for consideration.

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## 12. COMMISSIONERS' REPORTS

Commissioner Thomas noted his pleasure that the CSU campuses have reached an agreement with faculty and have averted a strike.

Commissioner Mitoma wished Planning Commissioner Pimentel a speedy recovery.

Commissioner Post stated that at the last meeting, Mr. Charles mentioned that the railroad berm was 15-foot higher than the residents' properties, but she noted that after visiting the site once again, that berm is further down the way toward Main Street and is not behind those residents' homes.

Commissioner Palmer noted the importance of looking at the economic impacts the City is trying to accomplish with project approvals, urging the Commissioners to keep these things in mind when considering these items; and added that quality projects like this create jobs and economic benefits for the City. He stated that going forward, he would like to get a sense of how each project will generate revenues and jobs for Carson.


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## 13. ADJOURNMENT

At 7:48 P.M., the meeting was formally adjourned to Tuesday, April 26, 2016, 6:30 P.M., Helen Kawagoe Council Chambers.

  
Chairman

Attest By:

  
Secretary