

MINUTES

CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION

*Helen Kawagoe Council Chambers, 2ND Floor
701 East Carson Street, Carson, CA 90745*

May 10, 2016 – 6:30 P.M.

1. **CALL TO ORDER**
Chairman Diaz called the meeting to order at 6:33 p.m.
2. **PLEDGE OF ALLEGIANCE**
Commissioner Thomas led the Salute to the Flag.
3. **ROLL CALL**
Planning Commissioners Present: Andrews, Diaz, *Guidry, Mitoma, Pimentel, Post, Thomas

Alternates Present: Palmer

*(Commissioner Guidry arrived at 6:35 p.m.)

Planning Commissioners Absent: Fe'esago and Madrigal (both excused)

Planning Staff Present: Planning Manager Naaseh, Assistant City Attorney Gerli, Senior Planner Rojas, Assistant Planner Raktiprakorn, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION**
Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL**
Chairman Diaz moved, without objection, to approve the Agenda as submitted, 7-0 (Guidry had not yet arrived; absent Fe'esago and Madrigal).
6. **ORAL COMMUNICATIONS**
For items **NOT** on the agenda. Speakers are limited to three minutes. None
7. **CONSENT CALENDAR**

A) Minutes: April 26, 2016

Chairman Diaz moved, seconded by Commissioner Post, to approve the Minutes of April 26, 2016, as presented. Motion carried, 7-0 (Guidry had not yet arrived; absent Fe'esago and Madrigal).

8. CONTINUED PUBLIC HEARING

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

Applicant's Request:

The applicant, Ralph Deppisch, is requesting the approval to construct a new 47,920-square-foot neighborhood retail center on a property zoned SP-2-CN (Specific Plan No. 2, Neighborhood Commercial) for the property located at 1281 University Drive.

Staff Report and Recommendation:

Senior Planner Rojas presented staff report and the recommendation to APPROVE the request subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 16-2573, 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 asked if the Planning Commission can require a new EIR, noting his concern with using the information in the 1990 EIR.

Assistant City Attorney Gerli stated that yes, the Planning Commission can require a new EIR, but expressed her opinion that a new EIR in this case would be duplicative and not necessary based on the current circumstances, especially since a new traffic study had been performed.

Planning Manager Naaseh explained that according to CEQA rules, the City may rely on the 1990 EIR because this EIR contemplated a larger project for this site; and stated that because this project is almost half that size, less than 50,000 square feet, the project has been deemed consistent with the 1990 EIR. He added that this project is still subject to all the mitigation measures in those conditions. He pointed out that the only remaining issue would be the traffic generated by this project, reiterating that there was a new traffic study done; advised that there were no significant impacts found in that new traffic study; and that for this reason, staff feels they can confidently rely on the 1990 EIR. He added that the Planning Commission would have to make findings to require a new EIR to indicate why a new EIR would be necessary, and explained that to his knowledge, he believes there are no findings to support the requirement for a new EIR.

Assistant City Attorney Gerli concurred with Planning Manager Naaseh's comments.

Commissioner Thomas asked if there are any other time limitations for the project other than for Pad 1.

Senior Planner Rojas stated not at this time.

Commissioner Thomas asked if the 48-inch wall on the south side and the proposed monument sign will interfere with each other.

Senior Planner Rojas explained that the site plan does not identify the location of the wall, which has been buffered by the applicants to mitigate the issues identified, so it would be included as a condition; and that they would need to specify the location and terms, to be approved by staff.

Commissioner Thomas stated he is concerned with neon sign lighting on a Pad 1 building impacting the nearest residential area.

Senior Planner Rojas advised that staff has not yet engaged in conversations about the specifics of the sign program; that a sign program will be submitted before construction, which is a condition of approval; and stated that if there is a concern about sign lighting that faces the residents to the south, the Planning Commission may include a condition to address that concern. He added it is staff's preference to see monument signs to limit the visual impact.

Planning Manager Naaseh stated he would not completely agree with the comment/concern that lit wall signage at this location will be impacting the residents across the street on the neighboring properties, noting it is 150 feet away; and stated that a larger concern of lighting would be the parking lot lights, explaining the need for that lighting not to spill over into the adjacent neighborhood.

Commissioner Mitoma noted his agreement with Commissioner Thomas, highlighting the recent limitation put on the carwash signage at the corner of Avalon Boulevard and 223rd Street.

Planning Manager Naaseh pointed out that the carwash sign is a monument digital/electronic message board, which is totally different than what will be placed on this site; and he added that the Commission can impose conditions on when the signs go dark.

Commissioner Andrews mentioned that residents attending the community meeting were not told 24-hour operation was being contemplated at this site, questioning if the Commission can place a time restriction on the operation at this center. He expressed his belief 24-hour operations invite security issues and suggested a time restriction on all the pads for no 24-hour operation.

Commissioner Guidry agreed with staff that the carwash electronic sign is a different situation; and pointed out that while it is important to control light pollution, it is also important to maintain enough light on the property to keep it safe for all.

Planning Manager Naaseh clarified that the monument signs could be turned off after hours to avoid any impact to the neighbors.

Todd Burnight, representing Carson Companies, stated that Carson Companies is very proud of what they are proposing for this site, emphasizing this has been almost a two-year collaborative endeavor with staff, residents, university representatives, and community leaders to create what will be the nicest, Class A shopping center in Carson that is completely aligned with the community's interests. He pointed out that they would not be spending upwards of \$10 million on this center if they did not believe it was going to be successful; stated that it has to exceed the quality of any other retail

project in the City, noting it is not an ideal retail location; he commented on this location and how they account for its success, taking into consideration traffic counts and rooftops in a one-mile radius; stated that those numbers are lower than ideal; and reiterated that they will have to overcome those numbers by presenting to the retailers the absolute best-in-class retail center. He mentioned that they are receiving some interest in the retail market and believe they should move forward and aggressively market this property to national and regional retailers, commenting on their upcoming participation in the International Council of Shopping Centers (ICSC) convention in Las Vegas. He added that this center will create sales tax revenues for the City and will create jobs for the area's residents. He pointed out that they are looking for higher-end drive-through restaurants for this center, such as Chick-fil-A, and advised that they reduced the original plans to only include two drive-through pads. He stated the applicant is in agreement with the conditions of approval.

Mr. Burnight addressed Commissioner Thomas' inquiry regarding the wall and monument sign, stating they have not yet gotten to that level of detail; noted that a monument sign can easily be relocated; and pointed out they are not going to propose any electronic billboards at this location. He added that their number one goal is to attract a high-end neighborhood grocery store, that first major anchor tenant; and noted their marketing team is confident this design and level of quality will attract a lot of interest at the upcoming ICSC convention in Las Vegas. He added that if they don't get a commitment from a quality level anchor tenant, they will not move forward with this project.

Commissioner Guidry highlighted the importance of the community supporting higher-end businesses in order for them to survive.

Robert Leslie, resident, stated that a new EIR should be performed; addressed his concern with ingress/egress safety at this project; and stated that there was no mention at the community meeting of 24-hour drive-through operations at this site.

Harry Wilson, resident, stated that he wants this to be a nice development; noted there was no mention at the community meetings of a 24-hour drive-through operation; expressed his belief there are enough drive-throughs in town; and stated that for security purposes, nothing in this center should be open later than 11:00 p.m.

Diane Thomas, resident, stated that she is excited for this development; noted her concern with using information in the 1990 EIR, stating that Central Avenue was not open in 1990; and she suggested the applicants count rooftops at a greater radius of one mile when considering where they place shopping centers, believing many residents beyond this radius will support this shopping center.

Planning Manager Naaseh reiterated that a new traffic study was recently done on this project, that they are not using the 1990 study when dealing with traffic.

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

Commissioner Mitoma suggested both drive-throughs close at 1:00 a.m.

Commissioner Guidry expressed her belief the Commission should be more flexible being there is no information on what type of tenants could potentially occupy this property; and pointed out there may be some 24-hour operating businesses this community might support, noting time limitations could be conditioned to allow revisiting the issue in the future should a problem arise.

Commissioner Andrews pointed out that time limitations could be conditioned to allow revisiting either a decrease or increase in operating hours if there is a need for change, suggesting a decrease in hours at this time.

Planning Commission Decision:

Commissioner Palmer moved, seconded by Commissioner Post, to approve the applicant's request.

Commissioner Palmer clarified that he would support a closing time of 1:00 a.m. for the drive-throughs.

By way of a friendly amendment, Commissioner Post asked if Commissioner Palmer would consider a closing time of 11:00 p.m. for the drive-throughs.

Commissioner Palmer accepted that friendly amendment, thus adopting Resolution No. 16-2573. This motion carried as follows:

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

9. PUBLIC HEARING

A) Design Overlay Review No. 1540-15

Applicant's Request:

The applicant, Jerry N. Garner, is requesting to reconfigure a portion of the SouthBay Pavilion Mall to create a 16,691-square-foot space for a new tenant by removing a portion of the existing food court and modifications to the mall common area and the exterior of the building at a site zoned CR-D-MUR (Commercial, Regional-Design Overlay Review-Mixed Use Residential). The property is located at 20700 Avalon Boulevard.

Staff Report and Recommendation:

Assistant Planner Raktiprakorn presented staff report and the recommendation to APPROVE Design Overlay Review No. 1540-15 subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 16-2574, approving Design Overlay Review No. 1540-15 to reconfigure a portion of the SouthBay Pavilion Mall to create a 16,691-square-foot space for a new tenant by

removing a portion of the existing food court and modifications to the mall common area and the exterior of the building located at 20700 S. Avalon Boulevard.

Assistant Planner Raktiprakorn noted for Commissioner Mitoma that most of the existing food tenants will be relocated to another area within the mall.

Planning Manager Naaseh explained that the mall footprint is not changing, that this is only a reconfiguration at this time; and noted for Commissioner Palmer that staff does not see any parking issue for the foreseeable future at this site.

Assistant Planner Raktiprakorn explained that minor changes will be made to the title of the resolution and in Section 3d and that Condition No. 51 will be deleted, to be renumbered accordingly.

Chairman Diaz opened the public hearing.

Jerry Garner, applicant, provided an update on the recent improvements made to the mall, noting that since the opening of the theaters, they have seen a 17-percent increase in sales per square foot at the mall; and he addressed the relocation of most of the food tenants in order to accommodate these proposed improvements/reconfigurations, pointing out there is no proposed increase to the square footage of the mall at this time. He advised that Forever 21 will be their newest tenant; and mentioned they are also in negotiations with another new tenant. He stated that they are updating their restrooms and will be providing new food court tables/chairs; and he noted his concurrence with the conditions of approval. He mentioned there is one pad remaining for a new store/restaurant, pointing out that since they don't own that parcel, they are not in complete control of what can go onto that remaining pad/site. He added that they will be keeping the most popular/busy food vendors and that what will remain will be a better selection.

Mr. Garner noted for Commissioner Thomas that this Forever 21 red store concept is one and the same company.

Mr. Garner noted for Commissioner Palmer that they are hoping to have this completed by January 2017.

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

Planning Commission Decision:

Chairman Diaz moved, seconded by Commissioner Mitoma, to approve the applicant's request; moved to delete Condition No. 51 and renumber accordingly; to amend the title of the resolution as follows: "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1540-15 to combine a number of existing restaurant and retail tenant spaces at SouthBay Pavilion Mall into a single 16,691-square-foot space for a new tenant, including exterior façade revisions to the exterior building elevations at the southwest corner, at a site zoned CR-D-MUR (Commercial, Regional-Design Overlay Review-Mixed Use Residential) located at 20700 S. Avalon Boulevard; to amend Section 3d of the resolution as follows: "The sign program for the SouthBay Pavilion Mall was modified with pages specifically referencing the new retail tenant façade revisions at the southwest corner"; and to adopt Resolution No. 16-2574. Motion carried, 8-0 (absent Fe'esago and Madrigal).

10. NEW BUSINESS DISCUSSION None

11. MANAGER'S REPORT

Senior Planner Rojas proudly announced the city of Carson has won the 2016 American Planning Association (Los Angeles Chapter) "Implementation Award, Small Jurisdiction, Award of Merit" for the Carson Street Mixed-Use District Master Plan, an award which recognizes the exceptional efforts being carried out by this City's urban planners and others who were involved in this process. He stated that the Commissioners are welcome to attend the awards celebration, which will take place at the Colburn School (Los Angeles) in June.

12. COMMISSIONERS' REPORTS

On behalf of the Commission, Chairman Diaz welcomed Ramona Pimentel back from her short leave.

Commissioner Post happily announced the Carousel tract homeowners are now going through the final remediation process; pointed out that Shell Oil Company has been very cooperative and responsive during this process; she advised that the residents will be receiving the following: new exterior house paint, soil remediation and new landscaping, new sound walls, new water lines, new telephone lines; and stated the residents are excited to see the improvements made to this area, noting it is expected to last take six years to complete.

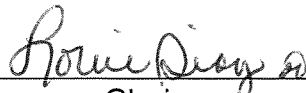
Commissioner Mitoma welcomed back Ramona Pimentel.

Commissioner Thomas thanked and commended staff for their efforts.

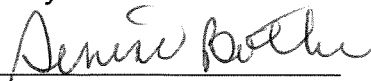
Chairman Diaz asked staff to provide some input/update on the progress of the Alameda Street sound wall, noting a wall would be of great benefit for the residents on the east side of town.

13. ADJOURNMENT

At 8:17 P.M., the meeting was formally adjourned to Tuesday, May 24, 2016, 6:30 p.m., Helen Kawagoe Council Chambers.


Chairman

Attest By:


Secretary