



TUESDAY, October 30, 2018
701 East Carson Street, Carson, CA 90745
Council Chambers, 2nd Floor
6:30 p.m.

MINUTES

CITY OF CARSON SPECIAL MEETING OF THE PLANNING COMMISSION

Members:

De Shon Andrews
Ramon Madrigal
Chair Ramona
Pimentel

Alex Cainglet
Michael Mitoma
Myla Rahman

Uli Fe'esago
Damion Nunley
Vice-Chair Charles
Thomas

Alternates:

Jane Osuna

Christopher Palmer

Karimu Rashad

Staff:

Director Naaseh

Assistant City
Attorney Neumeyer

Contract Planner
Ethan Edwards

"In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Planning Department at 310-952-1761 at least 48 hours prior to the meeting." (Government Code Section 54954.2)

1. **CALL TO ORDER**

Chair Pimentel called the meeting to order at 6:31 p.m.

2. **PLEDGE OF ALLEGIANCE**

Commissioner Cainglet led the Salute to the Flag.

3. **ROLL CALL**

Planning Commissioners Present: Andrews, Cainglet, Fe'esago, Mitoma, Nunley, Pimentel, *Rahman, Thomas

*(Rahman arrived at 6:37 p.m.)

Planning Commissioners Absent: Madrigal (excused)

Planning Commission Alternates Present: Osuna, Palmer

Planning Staff Present: Community Development Director Naaseh, Assistant City Attorney Neumeyer, Assistant City Attorney Laymon, Contract Planner Carver, Recording Secretary Bothe

4. CONSENT CALENDAR

A) Approval of Minutes - October 9, 2018

Commissioner Mitoma moved, seconded by Commissioner Cainglet, to approve the October 9, 2018, Minutes as presented. Motion carried, 8-0 (Rahman had not yet arrived; absent Madrigal).

Chair Pimentel, without objection, directed the consideration of Agenda Item Nos. 6A and 6B as the first order of business.

Vice-Chair Thomas moved, seconded by Commissioner Mitoma, to recess into an emergency closed session. Motion carried, 8-1 (absent Madrigal; Cainglet voted no).

Commenced at 6:37 p.m.

EMERGENCY CLOSED SESSION (Executive Conference Room)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- 1) Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) or (d)(3) and (e)(2) (one potential case).

Ended at 6:55 p.m.

Assistant City Attorney Neumeyer stated no reportable action was taken.

5. CONTINUED PUBLIC HEARING

**A) Site Plan and Design Review (DOR) No. 1704-18 and
Conditional Use Permit (CUP) No. 1055-18**

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street
Carson, CA 90745

Request: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Commercial General with Design Overlay (CG-D) zoning district

Property Involved: Within the public right-of-way in proximity to 17450 Avalon Boulevard

lc Staff Recommendation: Approve

Chair Pimentel opened the public hearing. There being no input, the public hearing was closed.

Planning Commission Decision:

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 A, C, D, E, F, G.

By way of a friendly amendment, Commissioner Rahman asked that the motions be grouped by residential areas versus industrial/commercial areas.

The makers of the motion approved the friendly amendment.

By way of an amended motion, Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 **A** (Resolution No. 18-2650), **E** (Resolution No. 18-2654), **F** (Resolution No. 18-2655), **G** (Resolution No. 18-2656). Motion unanimously carried, 9-0 (absent Madrigal).

(Recess was taken at 9:37 p.m. and reconvened at 9:54 p.m. to address the residents' concern with regard to Agenda Item No. 5B. Cainglet and Mitoma departed the meeting during this recess.)

5. CONTINUED PUBLIC HEARING

B) Site Plan and Design Review (DOR) No. 1705-18 and Conditional Use Permit (CUP) No. 1056-18

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street
Carson, CA 90745

Request: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Residential, Single Family (RS) zoning district

Property Involved: Within the public right-of-way in proximity to 19429 S. Kemp Avenue

lc Staff Recommendation: Approve

Chair Pimentel opened the public hearing.

Ben Johnson, applicant's representative, noted his agreement with the conditions of approval.

Eric Botch, Kemp Avenue resident, expressed his opposition to placing this new small cell wireless communication facility on the streetlight pole in front of his home; and he noted his concern with the unknown health impacts and the negative impacts to their property values.

Michelle McElroy, Kemp Avenue resident, noted her opposition to placing this new small cell wireless communication facility in a residential area, stating it should be placed in an industrial zone. She provided a signed letter to the Commission from the 12 residents living on this street.

Mr. Johnson confirmed that they do seek out the least obtrusive and most responsible location that meets the coverage needs.

Wendy, Kemp Avenue resident, noted her opposition to this facility being too close to a school.

Ms. McElroy asked for a copy of the alternative site report.

There being no further input, Chair Pimentel closed the public hearing.

Vice-Chair Thomas stated that when these facilities are in front of homes, the Commission should receive all paperwork which support findings that these are the best locations for such facilities.

Director Naaseh stated that those detailed analyses will be provided when a facility is recommended in front of a home.

Chair Pimentel re-opened the public hearing.

Hermalene Orliano noted opposition to this facility being placed in residential areas.

(Resident) stated that this facility should be moved to Wilmington Avenue and away from children.

Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Osuna moved, seconded by Chair Pimentel, to add the following condition of approval: Condition No. 29, Resolution No. 18-2651: "City staff shall meet internally with the applicant and those residents surrounding the applicant's identified area of service capacity needs in order to identify any alternative facility site or design that meets the following: 1) Meets Mobilities' technical service objectives as stated in the application; 2) For an alternative site, it is not directly in the front view area of another house; 3) It is reasonably available under existing governmental and regulatory standards; 4) It is technically feasible; 5) It is no more intrusive than the proposed site and design; and 6) If all conditions for an alternative site or design are met, such alternative may be approved administratively by City staff with the decision to be finalized by November 13, 2018. If the above criteria for administrative approval of an alternative site or design is not met, then the Commission approval as to the original proposal will stand. Motion carried, 7-0, as follows:

AYES: Andrews, Fe'esago, Nunley, Osuna, Pimentel, Rahman, Thomas
NOES: None
ABSTAIN: None
ABSENT: Cainglet, Madrigal, Mitoma (Cainglet and Mitoma departed the meeting during the break)

5. CONTINUED PUBLIC HEARING

**C) Site Plan and Design Review (DOR) No. 1706-18 and
Conditional Use Permit (CUP) No. 1057-18**

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street
Carson, CA 90745

Request: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Commercial General with Design Overlay (CG-D) zoning district

Property Involved: Within the public right-of-way in proximity to 22802 S. Figueroa Street

lc Staff Recommendation: Approve

Chair Pimentel collectively opened the public hearing for Agenda Item Nos. 5 C through H. There being no input, Chair Pimentel collectively closed those public hearings.

Planning Commission Decision:

Commissioner Osuna moved, seconded by Vice-Chair Thomas, to approve staff recommendation for Agenda Item Nos. 5 C (Resolution No. 18-2652), D (Resolution No. 18-2653), H (Resolution No. 18-2657). Motion unanimously carried, 9-0 (absent Madrigal).

5. CONTINUED PUBLIC HEARING

**D) Site Plan and Design Review (DOR) No. 1707-18 and
Conditional Use Permit (CUP) No. 1058-18**

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner:	City of Carson 701 East Carson Street Carson, CA 90745
Request:	To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Residential, Single Family (RS) zoning district
Property Involved:	Within the public right-of-way in proximity to 17510 Nauset Court
lc Staff Recommendation:	Approve

Planning Commission Decision:

Commissioner Osuna moved, seconded by Vice-Chair Thomas, to approve staff recommendation for Agenda Item Nos. 5 C (Resolution No. 18-2652), D (Resolution No. 18-2653), H (Resolution No. (18-2657). Motion unanimously carried, 9-0 (absent Madrigal).

5. CONTINUED PUBLIC HEARING

**E) Site Plan and Design Review (DOR) No. 1729-18 and
Conditional Use Permit (CUP) No. 1066-18**

Applicant:	Ben R. Johnson, AICP Mobilitie on behalf of Sprint 2955 Redhill Ave, Suite 200 Costa Mesa, CA 92626
Property Owner:	City of Carson 701 East Carson Street Carson, CA 90745
Request:	To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Manufacturing, Light with Design Overlay (ML-D) zoning district
Property Involved:	Within the public right-of-way in proximity to 1211 E. Artesia Boulevard
lc Staff Recommendation:	Approve

Planning Commission Decision:

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 A, C, D, E, F, G.

By way of a friendly amendment, Commissioner Rahman asked that the items be separated by residential areas versus industrial/commercial areas.

The makers of the motion approved the friendly amendment.

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 **A** (Resolution No. 18-2650), **E** (Resolution No. 18-2654), **F** (Resolution No. 18-2655), **G** (Resolution No. 18-2656). Motion unanimously carried, 9-0 (absent Madrigal).

5. CONTINUED PUBLIC HEARING

F) Site Plan and Design Review (DOR) No. 1730-18 and Conditional Use Permit (CUP) No. 1067-18

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street
Carson, CA 90745

Request: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Manufacturing, Light (ML) zoning district

Property Involved: Within the public right-of-way in proximity to 16941 S. Keegan Avenue

lc Staff Recommendation: Approve

Planning Commission Decision:

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 **A**, **C**, **D**, **E**, **F**, **G**.

By way of a friendly amendment, Commissioner Rahman asked that the items be separated by residential areas versus industrial/commercial areas.

The makers of the motion approved the friendly amendment.

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 **A** (Resolution No. 18-2650), **E** (Resolution No. 18-2654), **F** (Resolution No. 18-2655), **G** (Resolution No. 18-2656). Motion unanimously carried, 9-0 (absent Madrigal).

5. CONTINUED PUBLIC HEARING

**G) Site Plan and Design Review (DOR) No. 1731-18 and
Conditional Use Permit (CUP) No. 1068-18**

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street
Carson, CA 90745

Request: To construct a new small cell wireless communication
facility on a streetlight pole in the public right-of-way in
the Manufacturing, Light (ML) zoning district

Property Involved: Within the public right-of-way in proximity to 1123 E.
Walnut Street

lc Staff Recommendation: Approve

Planning Commission Decision:

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 A, C, D, E, F, G.

By way of a friendly amendment, Commissioner Rahman asked that the items be separated by residential areas versus industrial/commercial areas.

The makers of the motion approved the friendly amendment.

Vice-Chair Thomas moved, seconded by Chair Pimentel, to approve Agenda Item Nos. 5 A (Resolution No. 18-2650), E (Resolution No. 18-2654), F (Resolution No. 18-2655), G (Resolution No. 18-2656). Motion unanimously carried, 9-0 (absent Madrigal).

5. CONTINUED PUBLIC HEARING

**H) Site Plan and Design Review (DOR) No. 1732-18 and
Conditional Use Permit (CUP) No. 1069-18**

Applicant: Ben R. Johnson, AICP
Mobilitie on behalf of Sprint
2955 Redhill Ave, Suite 200
Costa Mesa, CA 92626

Property Owner: City of Carson
701 East Carson Street

Carson, CA 90745

Request: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Residential, Single Family (RS) zoning district

Property Involved: Within the public right-of-way in proximity to 21304 Garston Avenue

lc Staff Recommendation: Approve

Planning Commission Decision:

Commissioner Osuna moved, seconded by Vice-Chair Thomas, to approve staff recommendation for Agenda Item Nos. 5 C (Resolution No. 18-2652), D (Resolution No. 18-2653), H (Resolution No. (18-2657). Motion unanimously carried, 9-0 (absent Madrigal).

Agenda Item	CUP No.	DOR No.	Resolution No.	Address
5A	CUP 1055-18	DOR 1704-18	18-2650	Within the public right-of-way in proximity to 17450 Avalon Boulevard
5B	CUP 1056-18	DOR 1705-18	18-2651	Within the public right-of-way in proximity to 19429 S. Kemp Avenue
5C	CUP 1057-18	DOR 1706-18	18-2652	Within the public right-of-way in proximity to 22802 S. Figueroa Street
5D	CUP 1058-18	DOR 1707-18	18-2653	Within the public right-of-way in proximity to 17510 Nauset Court
5E	CUP 1066-18	DOR 1729-18	18-2654	Within the public right-of-way in proximity to 1211 E. Artesia Boulevard
5F	CUP 1067-18	DOR 1730-18	18-2655	Within the public right-of-way in proximity to 16941 S. Keegan Avenue
5G	CUP 1068-18	DOR 1731-18	18-2656	Within the public right-of-way in proximity to 1123 E. Walnut Street
5H	CUP 1069-18	DOR 1732-18	18-2657	Within the public right-of-way in proximity to 21304 Garston Avenue

6. PUBLIC HEARING

A) Development Agreement No. 18-2018, Zoning Text Amendment No. 30-2018, and associated Mitigated Negative Declaration

Applicant: Todd Parkin, California Processing Company, LLC (Carcom)

Request: To consider the Development Agreement by and between the City of Carson and California Processing

Company, LLC, for a proposed commercial cannabis operation center located at 2403 E. 223rd Street (APN: 7315012900, 7315012804) and a Zoning Text Amendment to permit commercial cannabis uses within Commercial zones subject to approval of a Development Agreement pursuant to City of Carson Cannabis Operations Ordinance No. 17-1637

Property Involved: 2403 E. 223rd Street (APN: 7315012900, 7315012804) and Citywide

ee Staff Recommendation: Approve

Chair Pimentel opened the public hearing.

Todd Parkin, applicant, noted his concurrence with the Development Agreement.

Commissioner Mitoma asked if the applicant had been in direct contact with the Sheriff's Department.

Cheryl Martinez, applicant's representative, stated they had not been in direct contact with the Carson Sheriff's Department, but explained that they are putting in place standards that adhere to local/state safety requirements.

Vice-Chair Thomas asked about the financial strength of the guarantor.

Mr. Parkin stated that he has enough fluid funds in place to start the operation; and explained that it is common for businesses not to have fully secured funding until final written project approval is obtained.

Chair Pimentel opened the public hearing.

Richard Bis noted his opposition to anything related to the cannabis industry, expressing his concern for the youth and others who are struggling with substance abuse. He pointed out that Carson supports the Red Ribbon Week, which is a drug prevention awareness program. He expressed his belief that there will be more traffic fatalities and more emergency room visits from drug-related activity.

Cristina Denmar noted her support for the cannabis industry, urging Carson to take full advantage of the opportunities being presented from bringing this type business into the community. She pointed out that studies have proven cannabis greatly benefits those struggling with various illnesses, afflictions and diseases; and she expressed her belief that no business will jeopardize losing their license by selling to minors.

Robert Lesley, resident, noted his opposition to the cannabis industry in Carson; he asked if a negative declaration study had been performed; expressed his belief there is no accountability in place for a business owner; and stated that bringing in a cannabis business is going against the wishes of the residents in Carson. He asked if the proposed 18 percent tax is a flat fee, asking how that will be assessed.

Faye Walton, resident, asked if a study has been performed to address negative impacts.

Vera DeWitt, resident, pointed out that California voters approved cannabis usage and that Carson voters also supported this measure; stated that only four non-dispensary locations will be permitted in Carson; and mentioned that a recent referendum attempt failed to repeal the passage of cannabis businesses in Carson.

Vivian Hatcher noted her opposition to cannabis businesses operating in this community, expressing her belief that most residents are in opposition.

There being no further input, Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Mitoma moved, seconded by Commissioner Cainglet, to approve the applicant's request with the following two amendments: 1) the applicant to submit a Safety-Policing Plan approved by the L.A. County Sheriff and City of Carson prior to issuance of building permits, 2) City shall devote 25% of the revenues generated by this project to drug rehabilitation and homeless programs; and moved to adopt Resolution No. 18-2648. The motion carried, 5-4, as follows:

AYES: Cainglet, Fe'esago, Mitoma, Rahman, Pimentel
NOES: Andrews, Nunley, Osuna, Thomas
ABSTAIN: None
ABSENT: Madrigal

6. PUBLIC HEARING

B) Development Agreement No. 17-2018, Zoning Text Amendment No. 29-2018, Variance No. 564-2018, and associated Mitigated Negative Declaration

Applicant: Eric Son, Focal Strategic Investments, LLC

Request: To consider the Development Agreement by and between the City of Carson and Focal Strategic Investments, LLC, for a proposed commercial cannabis operation center pursuant to the City of Carson Cannabis Operations Ordinance No. 17-1637, Zoning Text Amendment No. 29-2018 to allow commercial cannabis uses within industrial zones subject to approval of a Development Agreement pursuant to the City Of Carson Cannabis Operations Ordinance No. 17-1637, and a Variance to allow less than the required parking and minimum building setbacks

Property Involved: 17505 S. Main Street (APN: 7339003900) and Citywide

ee Staff Recommendation: Approve

Eric Son, applicant, noted his concurrence with the Development Agreement.

Commissioner Fe'esago asked if enough parking is being provided.

Director Naaseh explained that this site shape and size is unique and that staff will be working with the developer on some changes to the site plan.

Commissioner Mitoma asked if the applicant had been in contact with the Carson Sheriff's Department and the nearby hotel, questioning if this is a proper location for this type of business.

Mr. Son stated they had not personally contacted the hotel representatives or the Sheriff's Department. He stated there will be enough parking for their employees; advised that the height of the property line fence will be increased; and that there will be a guard on duty 24 hours a day.

Chair Pimentel opened the public hearing.

Richard Bis noted his opposition to cannabis operations in Carson, stating it is a social justice issue, and expressed his belief it will have a negative impact on this community.

Robert Lesley, resident, noted his opposition to cannabis operations in Carson; stated that Los Angeles has more unpermitted cannabis businesses than it has permitted cannabis businesses; advised that Los Angeles is trying to get control of that situation; and expressed his belief the same thing will happen in Carson. He stated that a negative declaration had not been performed and that all the impacts have not been disclosed.

Vivian Hatcher noted her opposition to cannabis businesses operating in this community, expressing her belief that many residents are in opposition; and stated that cash-only businesses are likely not going to accurately report their earnings.

Stuart Ker, nearby business owner, stated that because this location is so close to the freeway, it is difficult for the police to catch those fleeing; and noted his opposition to a cannabis business at this location. He noted his experience with crime in this area since 1976, especially with some of the residents from the hotel or the homeless in this area.

There being no further input, Chair Pimentel closed the public hearing.

Chair Pimentel asked about the proposed security.

Director Naaseh stated that a security plan will need to be approved by the City and the Sheriff's Department; advised that two armed security guards will be on duty 24/7; and that digital cameras will be installed.

Discussion ensued with regard to the location of this proposal, questioning whether this is a safe/proper location for this type of operation. Commissioner Mitoma and Vice-Chair Thomas expressed their belief this is not a proper location for a cannabis business.

Planning Commission Decision:

Chair Pimentel moved to approve the applicant's request.

By way of a friendly amendment, Vice-Chair Thomas asked that the same amendments for Carcom be included with Focal.

Chair Pimentel accepted the friendly amendment. Vice-Chair Thomas seconded the motion to approve the applicant's request with the following two amendments: 1) the applicant to submit a Safety-Policing Plan approved by the L.A. County Sheriff and City of Carson prior to issuance of building permits, 2) City shall devote 25% of the revenues generated by this project to drug rehabilitation and homeless programs; and moved to adopt Resolution No. 18-2649. The motion failed, 4-5, as follows:

AYES: Cainglet, Fe'esago, Rahman, Pimentel
NOES: Andrews, Mitoma, Nunley, Osuna, Thomas
ABSTAIN: None
ABSENT: Madrigal

7. ADJOURNMENT

At 10:10 p.m., the meeting was formally adjourned to Tuesday, November 13, 2018.


Chairman

Attest By:


Secretary