



TUESDAY, December 11, 2018
701 East Carson Street, Carson, CA 90745
Council Chambers, 2nd Floor
6:30 p.m.

MINUTES

MEETING OF THE PLANNING COMMISSION

Members:

Alex Cainglet
Ramon Madrigal
Ramona Pimentel

Joey Cinco
Michael Mitoma
Myla Rahman

Uli Fe'esago
Chris Palmer
Karimu Rashad

Alternates:

Louie Diaz

Patricia Hellerud

Paloma Zuniga

Staff:

Director Naaseh

Assistant City
Attorney Neumeyer

Acting Senior
Planner Alexander

"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 6:36 p.m.

2. **PLEDGE OF ALLEGIANCE**

Commissioner Fe'esago led the Salute to the Flag.

3. **ROLL CALL**

Planning Commissioners Present: Cainglet, Fe'esago, Mitoma, Palmer, Pimentel, Rahman, Rashad

Planning Commissioners Absent: Cinco, Madrigal (both excused)

Planning Commission Alternates Present: Diaz, Zuniga

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

4. **ORAL COMMUNICATION FOR MATTERS NOT ON THE AGENDA**

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once. None.

5. CONSENT CALENDAR

A) Selection of Chair and Vice-Chair

Ramona Pimentel was selected to serve as the Planning Commission Chair, 8-0 (Diaz abstained; absent Cinco and Madrigal).

Alex Cainglet was selected to serve as the Planning Commission Vice-Chair, 6-0 (Diaz, Palmer, Rashad abstained; absent Cinco and Madrigal).

Charles Thomas, resident, stated he was curious as to Alex Cainglet and Ramona Pimentel nominating each other.

B) Minutes: October 30, 2018; November 13, 2018

Commissioner Mitoma moved, seconded by Commissioner Fe'esago, to approve the minutes as presented. Motion carried without objection, 7-0 (Cainglet and Diaz abstained; absent Cinco and Madrigal).

6. CONTINUED PUBLIC HEARING

A) Design Overlay Review (DOR) No. 1661-17; Conditional Use Permit (CUP) No.1023-17; Tentative Tract Map (TTM) No. 76070-17; General Plan Amendment (GPA) No. 100-17; Zone Change (ZCC) No. 178-17; Specific Plan (SP) No. 15-17

Applicant's Request:

The applicant, Anthony Laney of LANEY LA, Inc., is requesting to consider approval of a four-story, 32-unit residential condominium project at 21809 and 21811 S. Figueroa Street.

Staff Report and Recommendation:

Contract Planner Carver presented staff report and the recommendation to **APPROVE** Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17, Tentative Tract Map No. 76070-17 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of General Plan Amendment No. 100-17, Zone Change No. No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration; and **RECOMMEND APPROVAL** of General Plan Amendment No. 100-17, Zone Change No. 178-17, and Specific Plan No. 15-17, and Mitigated Negative Declaration and adoption of the Mitigated Negative Declaration for the Project to the City Council; and **WAIVE** further reading and **ADOPT** Resolution No. 18-, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1661-17, Conditional Use Permit No. 1023-17, Tentative Tract Map No. 76070-17, and recommending that the City Council adopt General Plan Amendment No. 100-17, Zone Change No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration to develop a 32-unit residential condominium project on a 0.8-acre project site at 21809 and 21811 S. Figueroa Street." A copy of the Agreement for Development Impact Fees (DIF) and Community Facilities District (CFD) Participation was distributed to the Commission.

Anthony Laney, project architect, reiterated that the design is in line with the transit and pedestrian corridor and Carson Street Master Plan; and he highlighted the generous and attractive roof top deck.

Bryce Egbert, representing Real Quest, stated the design has a transit-oriented theme which encourages pedestrian activity; advised that they will be beautifying the bus stops in this corridor; and explained that this area will bring about the lower end market rate sales of these units.

Paul Choi, project manager/architect, briefly commented on the beautification of the bus shelters; and advised that they will provide a curb-side EV charging station, bike racks, pedestrian seating, public art, and a decorative sliding gate for this project.

Commissioner Palmer stated that he does not see any language in the CC&R's to protect this property from falling into disrepair; and that there is no language in the CC&R's to indicate what happens in the future when the market changes and possible owner-occupied issues arise.

Mr. Egbert stated they are committed to making sure this property is kept fresh into the future; and stated that additional HOA standards will be added to maintain the units into the future.

Commissioner Mitoma noted his concern with providing an adequate amount of parking, pointing out that with all the condo units in this area, there is very little street parking available.

Contract Planner Carver advised that this project exceeds parking requirements as indicated in the Municipal Code and Specific Plan.

Commissioner Mitoma asked how the EV charging station will be secured from kids playing around with them, suggesting they not be curb side.

Mr. Egbert stated that adjustments can be made to the plans for the EV charging station.

Vice-Chair Cainglet asked that the city of Carson be protected from any liability issues with the EV charging station.

Contract Planner Carver stated that she worked closely with Public Works staff to make sure the EV charging station would be sited in the most appropriate location in the public right-of-way and noted that liability will be with the applicant and the EV charging station provider.

Vice-Chair Cainglet asked that the City's risk management work on this issue to minimize the City's exposure to liability. He asked about the increase in density.

Mr. Egbert stated they worked closely with staff to meet the vision for this corridor; and explained that there is a lot of open square footage in these large units.

Commissioner Palmer asked that the CC&R's include language that prohibits the HOA from getting rid of professional property management in the future. He asked if there are security plans in place.

Mr. Egbert stated they have communicated with the fire department and the sheriff's department and will continue to do so; and stated that the CC&R's will restrict the owners from getting rid of professional property management, stating if they have to, the developer will maintain ownership of one of the units.

Commissioner Rahman noted her concern with an EV charging station impacting the number of parking spaces.

Commissioner Diaz asked that the words "at this time" be stricken in the conditions relating to increasing the density, not allowing the proposed density to increase higher than 32; and he recommended that City Council adopt a density bonus program similar to that of Emoryville's (Exhibit No. 5).

Vice-Chair Cainglet asked if the CC&R's require owners to live in their units for a certain amount of time before putting them up for rent.

Mr. Egbert stated they will work with their legal team to add language that rental units will be properly maintained at all times.

Commissioner Rashad asked why no affordable housing is being provided.

Mr. Egbert explained that affordable housing does not fit within the vision for this project; and stated that these units will be market rate, workforce driven; and stated it is not financially feasible for them.

In response to Commissioner Mitoma's inquiry, Mr. Egbert stated that the ultimate cost for these units will depend on market conditions at the time of completion, but guesstimated the units will be between \$300,000 to \$400,000.

Vice-Chair Cainglet asked what the total cost will be for this project.

Mr. Egbert advised that construction costs have been steadily rising in the past few months and that they do not have final figures on what those costs will be; and stated they do not have a current pro forma at this time.

Chair Pimentel opened the public hearing.

Charles Thomas, resident, read into the record his letter that was distributed to the Commission (of record). He questioned whether the applicant genuinely plans to sell these units between \$300,000 and \$400,000; and expressed his belief the applicant is giving little back to the City in exchange for the increase in density.

David Cunningham stated he is from the 64th Assembly District; that he surveyed people of Carson to get their opinion about this project; and that a decision shouldn't be made about this project until the City obtains the input of the residents.

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

Commissioner Palmer stated that City Council should consider in lieu fees for every unit approved over the standard density allowance.

Assistant City Attorney Neumeyer explained that in lieu fees would not be appropriate/allowed for this project, but suggested the Commission could ask Council to consider updating its code to allow similar fees for future developments.

Commissioner Palmer asked that language be included for City Council consideration to adopt imposing a fee program which offsets the impacts to the community when granting density bonuses.

Director Naaseh explained that the City's General Plan is currently being updated to address development for today's housing demands.

Commissioner Diaz asked that the public hearing be reopened to allow the applicant to address Mr. Thomas' letter.

Chair Pimentel opened the public hearing.

Mr. Egbert explained that deed restrictions on units would deter buyers; and stated that the anticipated price of these units fits within the graph in the letter.

Vice-Chair Cainglet pointed out that deed restrictions would not be a wise idea, stating that banks will not typically lend money for deed restricted properties. He noted his concern with no patio spaces on those units facing the freeway.

Mr. Egbert stated that providing no patio spaces for those units facing the freeway was due to decreasing the negative impacts from the adjoining freeway.

Mr. Laney added that is why they are incorporating a top grade air filtration system; and noted that the roof top deck can be used by all tenants.

Commissioner Zuniga asked why the applicant knows what the units may sell for but does not know what the project will cost.

Mr. Egbert explained that the cost of construction has risen dramatically since their plans were completed; advised that they already have \$2.5 million in this project; and guesstimated the project may cost \$9 million. He stated he could share an updated pro forma.

Commissioner Palmer stated he would like to see an updated pro forma and for a recommendation to be forwarded to City Council to consider adopting a fee program which offsets the impacts to the community when granting density bonuses. He clarified he is not asking for an affordable housing component with this project, that he wants this applicant to provide more benefits to the City when granting a density bonus and/or to secure more fees through the specific plan process. He added he wants the language to come back to the Planning Commission before it's considered by City Council.

The public hearing was closed.

Planning Commission Decision:

Commissioner Fe'esago moved, seconded by Commissioner Mitoma, to continue this matter to the January 8, 2019, Planning Commission meeting.

Commissioner Mitoma offered a friendly amendment that the motion include the returning staff report include discussion addressing all the items discussed at this evening's meeting.

Assistant City Attorney Neumeyer clarified that the Planning Commission wants the next staff report to address City Council's consideration of a community benefit fee program/component in Specific Plan 15-17, addressing the issue of affordable housing and density bonuses; to address the issues in Mr. Thomas' letter; and, if possible, to have a pro forma for review.

Commissioner Diaz asked that the motion also include City Council to consider adopting something similar to the city of Emeryville's Development Density Bonus program (Exhibit No. 5).

The friendly amendment was accepted. Motion unanimously carried, 9-0 (absent Cinco and Madrigal).

7. PUBLIC HEARING

A) Variance No. 565-18

Applicant/Property Owner: City of Carson, 20400 Main Street
Attn: John Raymond, Assistant City Manager
Carson, CA 90745

Request: Variance for construction noise which will exceed the
allowed noise levels at the Carson Reclamation
Authority's 157-acre site

Property Involved: 20400 S. Main Street

ee Staff Recommendation: Withdrawn

8. MANAGER'S REPORT

Director Naaseh welcomed the new Commissioners.

9. COMMISSIONERS' ORAL COMMUNICATIONS

Commissioner Zuniga noted she is eager to learn from the Commissioners.

Commissioner Diaz stated it is good to see familiar faces and that he is looking forward to working with this Commission and staff again and representing the community.

Commissioner Fe'esago wished everyone happy holidays.

Vice-Chair Cainglet welcomed the new Commissioners, stating he is looking forward to working with this Commission; and wished everyone happy holidays.

Commissioner Rahman echoed the comments of the Commissioners and encouraged everyone to be safe during the holidays.

Commissioner Palmer responded to a comment made by resident Mr. Thomas, stating he did read all the documents in preparation for this evening's meeting, pointing out all the items were on the City's website; and pointed out he is well versed in the planning field. He wished everyone happy holidays.

Commissioner Mitoma encouraged everyone to be kind to one another and to pray for a more peaceful 2019.

Chair Pimentel asked for prayers for the Madrigal family, as they lost two loved ones this past week; and she wished everyone a Merry Christmas.

10. ADJOURNMENT

At 8:03 p.m., the meeting was adjourned.


Chairman

Attest By:


Secretary