



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 12, 2012

SUBJECT: Modification No. 3 to Special Use Permit No. 106-74

APPLICANT: Nader Qoborsi
Foresight Engineering, INC.
17621 Irvine Blvd.
Tustin, CA 92780

PROPERTY OWNER: Colony Cove Properties (c/o Duane Montgomery)
1299 Ocean Avenue, Suite 900
Santa Monica, CA 90041-1000

REQUEST: Modification No. 3 to Special Use Permit No. 106-74 to grant a one-year time extension for permitting additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates)

PROPERTIES INVOLVED: 17700 S. Avalon Boulevard

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

Item No. 11A

I. Introduction

The applicant, Colony Cove Properties, is requesting approval of Modification No. 3 to Special Use Permit No. 106-74 to grant a one-year time extension. Special Use Permit No. 106-74 was originally approved to permit 21 additional mobile home spaces to the existing 404-unit Colony Cove Mobile Estates. The property is located at 17700 South Avalon Boulevard and is zoned RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay).

II. Background

Pursuant to Condition No. 1 of Planning Commission Resolution No. 08-2196 only a single one-year extension of time may be given. Since Modification No. 2 already had an extension of time, Modification No. 3 was filed to further extend SUP 106-74. Modification No. 3 is the same exact request as Modification No. 2 with the nominal change to the modification number to ensure that records are kept in order.

History

On March 25, 2008, the Planning Commission approved Modification No. 1 to Special Use Permit (SUP) No. 106-74 for the development of an additional 21 mobile home spaces to the existing Colony Cove Mobile Home Estates, a 404-unit, renter-occupied mobile home park, (Exhibit No. 4 and 5). Modification No. 1 included a requirement (Condition of Approval No. 10 of Resolution No. 08-2196) for an affordable rental agreement for five (5) of the 21 units.

On April 14, 2009, through minute resolution, the Planning Commission approved a one-year extension of time for Modification No. 1 until March 25, 2010, (Exhibit No. 6). The one-year time extension was approved to allow additional time for the applicant and city to work on the affordable rental agreement.

On April 13, 2010, the Planning Commission approved Modification No. 2 which was for the same project that was approved by the Planning Commission in 2008, (Exhibit No. 7). Modification No. 2 was essentially an extension of time for the project.

On April 12, 2011, the Planning Commission approved a one year time extension to Modification No. 2 to allow further time for the applicant and the city to negotiate terms of the affordable rental agreement, (Exhibit No. 8). This extension expired April 12, 2012, however, the applicant filed a timely request for an extension of time.

The property owner requests additional time to allow market conditions to improve and to determine if the five mobile home spaces to be dedicated as affordable housing will be included. With the elimination of the Carson Redevelopment Agency, there are no local funds available to facilitate the affordable units. As such, the property owner must determine whether these five spaces will be completed in addition to the 16 market rate spaces.



III. Analysis

The project design and proposed use has not changed from the originally approved plans. Therefore, the same findings and conditions of approval are still applicable with the addition of conditions to address former abandoned oil wells.

The mobile home park is proposed to be subdivided to allow for individual condominium ownership of the mobile home spaces. On October 9, 2009, Tentative Parcel Map No. 67949 was approved and conditions of approval were included related to the abandoned oil wells. The Division of Oil, Gas, and Geothermal Resources ("DOGGR") is the State agency that oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. DOGGR recommended conditions of approval which were included as follows:

DEPARTMENT OF CONSERVATION – DIVISION OF OIL, GAS & GEOTHERMAL RESOURCES

41. The subdivider shall locate and identify on the Final Parcel Map whichever plugged and abandoned wells that have been identified within and in proximity to the property boundaries (as identified on a Division Map).
42. Building over or in proximity of plugged and abandoned wells should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current Division specifications. Also, the State Oil and Gas Supervisor is authorized to order reabandonment of previously plugged and abandoned wells when construction is over or in proximity of wells could result in a hazard (Section 3208.1 of the Public Resources Code).
43. If reabandonment is necessary, the cost of operations is the responsibility of the owner of the property upon which the structure will be located.
44. If construction over an abandoned well is unavoidable, an adequate gas venting system should be placed over the well.
45. If any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs the Division of Oil, Gas and Geothermal Resources's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

In recent meetings with DOGGR, some of the provisions of Condition No. 42 will no longer be applicable since DOGGR now requires local jurisdictions to take responsibility for land use decisions related to oil wells. As such, staff is recommending additional conditions of approval to SUP No. 106-74 to ensure proper review of abandoned oil wells to determine if reabandonment or other mitigation is



necessary. A condition has been included to require the applicant to survey the precise location of the wells; leak test the wells; situate the proposed improvements such that no vertical improvements are constructed atop any oil well and that specified setbacks are maintained from the wells and methane mitigation measures are achieved.

In addition, a condition has been included to require the applicant to be subject to covenants, conditions, and restrictions set upon the property for the benefit of the city and its respective successors and assigns for the purpose of putting owners of the property on notice of the previously abandoned oil wells, to protect against any possible future harm that these wells may cause and to enhance and protect the value, desirability and attractiveness of the property. The CC&R's shall be approved by the City Attorney's Office prior to any occupancy of the proposed new mobile home spaces.

The approval of Modification No. 3 extends the entitlements to March 25, 2013. The applicant is eligible to request an additional one year extension to March 25, 2014.

IV. Environmental Review

Pursuant to Section 15061 (b)(3), General Rule Exemption of the California Environmental Quality Act Guidelines (CEQA), the approval of the proposed project located at this project site is exempt from further environmental review. The project does not have the potential to cause a significant effect on the environment.

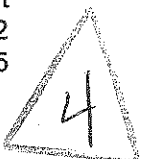
V. Recommendation

That the Planning Commission:

- **APPROVE** Modification No. 3 for SUP No. 106-74 to grant a one-year time extension, subject to the conditions of approval attached as Exhibit "B" to the Resolution;
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson approving Modification No. 3 to Special Use Permit No. 106-74 to grant a one-year time extension for addition of 21 mobile home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard, Assessor Parcel Nos. 73119017086."

VI. Exhibits

1. Draft Resolution
2. Site Map
3. Site Plan



4. February 26, 2008, Planning Commission Staff Report
5. Planning Commission Resolution 08-2196 and Conditions of Approval
6. April 14, 2009, Planning Commission Minutes
7. April 13, 2010, Planning Commission Staff Report
8. April 12, 2011, Planning Commission Staff Report

Prepared by: Saied Naaseh
Saied Naaseh, Associate Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp-Loadman, Planning Officer

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 12-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 3 TO SPECIAL USE PERMIT NO. 106-74 TO GRANT A ONE-YEAR TIME EXTENSION FOR ADDITION OF 21 MOBILE HOME SPACES TO AN EXISTING 404-UNIT MOBILE HOME PARK LOCATED AT 17700 S. AVALON BOULEVARD, ASSESSOR PARCEL NO. 73119017086

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, Colony Cove Properties, with respect to real property located at 17700 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting authorization of Modification No. 3 to Special Use Permit No. 106-74 to grant a one-year time extension to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

A public hearing was duly held June 12, 2012, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meetings were duly given.

On March 25, 2008, the Planning Commission adopted Resolution No. 08-2196 approving the development of an additional 21 mobile home spaces to the existing Colony Cove Mobile Home Estates, a 404-unit, renter-occupied, mobilehome park located at 17700 S. Avalon Boulevard. On April 14, 2009, the Planning Commission approved a time extension to extend the proposal to March 25, 2010. On April 13, 2010, the Planning Commission approved a time extension to extend the proposal to March 25, 2011. On April 12, 2011, the Planning Commission approved a time extension to extend the proposal to March 25, 2012. In January 30, 2012, the applicant applied for Modification No. 3 to extend the entitlement approval for the project for one year until March 25, 2013.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meetings.

Section 3. The Planning Commission finds that:

- a) The General Plan Housing Element calls for the promotion of a variety of housing types, including mobilehomes, and the development of quality affordable housing. The proposed 21 units exceed the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide additional mobile home spaces and affordable housing opportunities for five of the new spaces. The mobile home park is allowed to exceed the maximum density provided they provide affordable housing. In doing so, the development will facilitate achievement of goals and objectives of the General Plan.



- b) The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c) Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city. Avalon Boulevard is considered sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations along the east side of the subject property, facing Rainsbury Avenue.
- d) There are a sufficient number fire hydrants located throughout the subject property to facilitate the suppression of fire. There is adequate water supply for the hydrants and efficient means of access for fire department equipment and personnel in the event of an emergency.
- e) The zoning for the property calls for multi-family residential uses, with which the proposed use is compatible. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f) The proposed site plan is designed to mitigate park residents' concerns voiced in community meetings between staff, the applicant and park residents during the review process of this application, and has been revised in response to the salient issues raised by residents in these meetings.
- g) The Division of Oil, Gas, and Geothermal Resources ("DOGGR") is the State agency that oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. In 2011, without providing public agency or public notice, DOGGR terminated their 22-year policy concerning the "Construction Site Plan Review Program, and Well Review Letter," and providing stamped site plans. With this change of procedure, the city now becomes responsible for reviewing and determining how to address oil wells and abandoned oil wells. A condition has been included to require the applicant to survey the precise location of the wells; leak test the wells; situate the proposed improvements such that no vertical improvements are constructed atop any oil well and that specified setbacks from the wells and methane mitigation measures are achieved. A condition has been included to require the applicant to be subject to covenants, conditions, and restrictions set upon the property for the benefit of the city and its respective successors and assigns for the purpose of putting owners of the property on notice of the previously abandoned oil wells, to protect against any possible future harm that these wells may cause and to enhance and protect the value, desirability and attractiveness of the property. The CC&R's shall be approved by the City Attorney's Office prior to any occupancy of the proposed new mobile home spaces.

Section 4. The Planning Commission further finds that the use permitted by the proposed Modification No. 3 to Special Use Permit No. 106-74 does not have the potential to cause a significant effect on the environment and the approval of the proposed project located at this project site is exempt from further environmental review pursuant to Section



15061 (b)(3), General Rule Exemption of the California Environmental Quality Act Guidelines (CEQA).

Section 5. Based on the aforementioned findings, the Commission hereby grants Modification No. 3 to Special Use Permit No. 106-74 to extend the entitlement for an additional year, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF JUNE, 2012.

CHAIRMAN

ATTEST:

SECRETARY



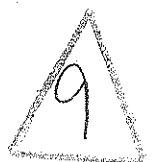
CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

MODIFICATION NO. 3 TO SPECIAL USE PERMIT NO. 106-74

GENERAL CONDITIONS

1. If a permit for new mobile homes is not obtained from the State Housing and Community Development Department, or if a building permit is not given for new construction on the project site within one year of the date of approval of Modification No. 3 to SUP No. 106-74, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the approved development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Should an affordable housing agreement between the applicant and the city not be finalized, as required by Condition No. 10, a modification to the site plan shall be reviewed and approved by the Planning Commission to authorize an alternative use for the five units.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.



6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification No. 3 to Special Use Permit No. 106-74. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

AFFORDABLE HOUSING

10. The applicant shall provide affordable rental housing for five new units at income levels and locations to be determined pursuant to an agreement with the city. The affordable rental rate shall be targeted to moderate (or below)-income households, unless otherwise approved by the city, and may be patterned after State Government Code 66427.5 at the discretion of the city. The affordable rental rate shall remain in effect for a period of not less than 30 years or until such time that the city approves an amendment to the agreement. The affordable housing costs shall consider space rent, principle and interest on the mobilehome, mortgage loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs and a reasonable allowance for utilities. The program must be approved by the city before the applicant gets occupancy of units. Notwithstanding the foregoing, the applicant shall have no obligation to comply with this condition in the event that the city and the applicant are unable to come to an agreement on applicable rental rates and the affordable housing agreement for the five affordable units (see Condition No. 3).



11. If a subdivision conversion to resident ownership is approved, the affordable rental housing covenant on the five units shall be converted to low-income home ownership opportunities for five units. The locations of such units will be subject to an agreement with the city. The agreement shall include a formula to provide a fair distribution between land value and unit value.

PARKING

12. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
13. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
14. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
15. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with preliminary landscape plans dated as received by the Planning Department on February 14, 2008. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. Such landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Trees, grass, and vine-like landscaping in the proposed park areas;
 - b. Perimeter landscaping near the "dog-run" area, as described on the site plan marked "Exhibit D";
 - c. Annual flowers wherever possible; and
 - d. Irrigation system designed to commercial grade standards.

Furthermore, these plans are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.

18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."



19. The applicant shall install 6-inch by 6-inch concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
20. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

23. The specification of all colors and materials of new construction of trash enclosures, maintenance shed, and carport must be submitted and approved by the Planning Division prior to the issuance of any building permits.
24. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.)

FENCES/WALLS

25. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9126.3 (residential zones) of the Zoning Ordinance.

TRASH

26. Trash enclosures and recycling areas shall be located on four-inch concrete pads and in locations consistent with the approved site plan, subject to Planning Division review and approval. Painted metal, self-closing doors shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).



27. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

28. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
29. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
30. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
31. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
32. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
33. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.
34. At the discretion of the applicant, a 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County Recorder's Office prior to the occupancy of the new spaces.

PUBLIC SAFETY - CITY OF CARSON

35. Ensure compliance with current seismic mitigation codes.
36. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

37. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
38. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.



39. Dedicate 6-ft of additional right-of-way along portions of Rainsbury Avenue. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Records Office.
40. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
41. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
42. Repair any broken or raised (one-inch or more) sidewalk, curb and gutter along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer, which is limited to \$10,000 or less in performance costs.
43. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
44. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
45. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
46. If any, remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
47. Install and/or modify (if necessary) existing wheelchair ramp along Avalon Boulevard at the entrance and exit to the subject site, and at the northwest corner of Rainsbury Avenue and Victoria Street per City of Carson Standard, in compliance with ADA requirements.
48. In the event that the applicant proposes future improvements allowing vehicular access entering or exiting onto Rainsbury Avenue (apart from the two existing "crash gates"), the applicant shall install streetlights on concrete poles with underground wiring Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
49. All new utility lines, along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue abutting the proposed development shall be underground to the satisfaction of the City Engineer.



50. Plant approved parkway trees on locations along Avalon Boulevard and Victoria Street where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134. All new trees must be kept adequately watered.
51. Paint Curbs Red along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
52. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
53. The Developer shall submit a sewer area study to the Los Angeles. County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
54. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
55. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
56. Comply with mitigation measures recommended by the water purveyor.
57. The Developer shall submit a copy of approved plans on mylars (i.e. Grading, Sewer, Street, and Storm Drain Improvement Plans), to the City of Carson – Engineering Division, prior to issuance of construction permits.
58. A construction permit is required for any work to be done in the public right-of-way.
59. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
60. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
61. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the Engineer in the field. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)

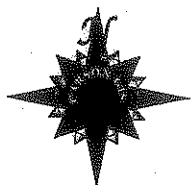
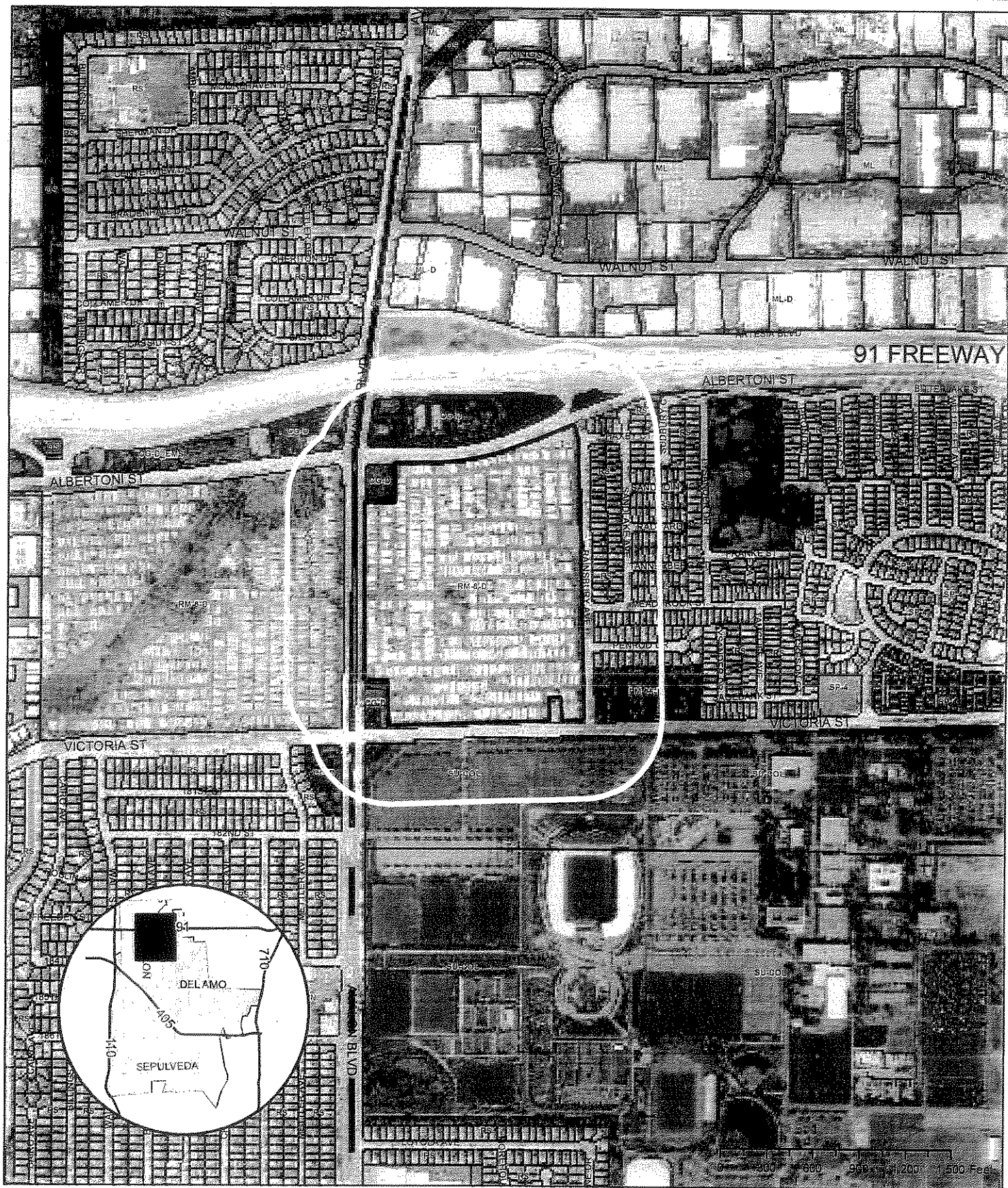


62. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
63. Prior to issuance of Building Permit, the following must be on file:
64. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
65. Construction bond as required for all work to be done within the public right of way.
66. Proof of Worker's Compensation and Liability Insurance.
67. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

68. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.
69. The applicant shall survey the precise location of all wells; leak test all wells; situate the proposed improvements such that no vertical improvements are constructed atop any oil well and that specified setbacks are maintained from the wells and methane mitigation measures are achieved.
70. Access to any well located on the property shall be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future. Impeding access to the well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, mobile homes, fencing, porches, carports, trees, landscaping and fencing.
71. The applicant shall prepare a plan identifying mitigation measures, including but not limited to, venting systems for wells, venting systems for parking lots, patios, and other hardscape, methane barriers for building foundations, and methane detection systems. The plan shall be approved by the city prior to the installation of any new mobile home.
72. The applicant shall prepare covenants, conditions and restrictions for the benefit of the city and its respective successors and assigns for the purpose of putting owners of the property on notice of the previously abandoned oil wells. The CC&R's shall be approved by the City Attorney's Office prior to any occupancy of the proposed new mobile home spaces.





City of Carson
500 Foot Radius Map
17700 Avalon Boulevard

EXHIBIT NO. 2 -



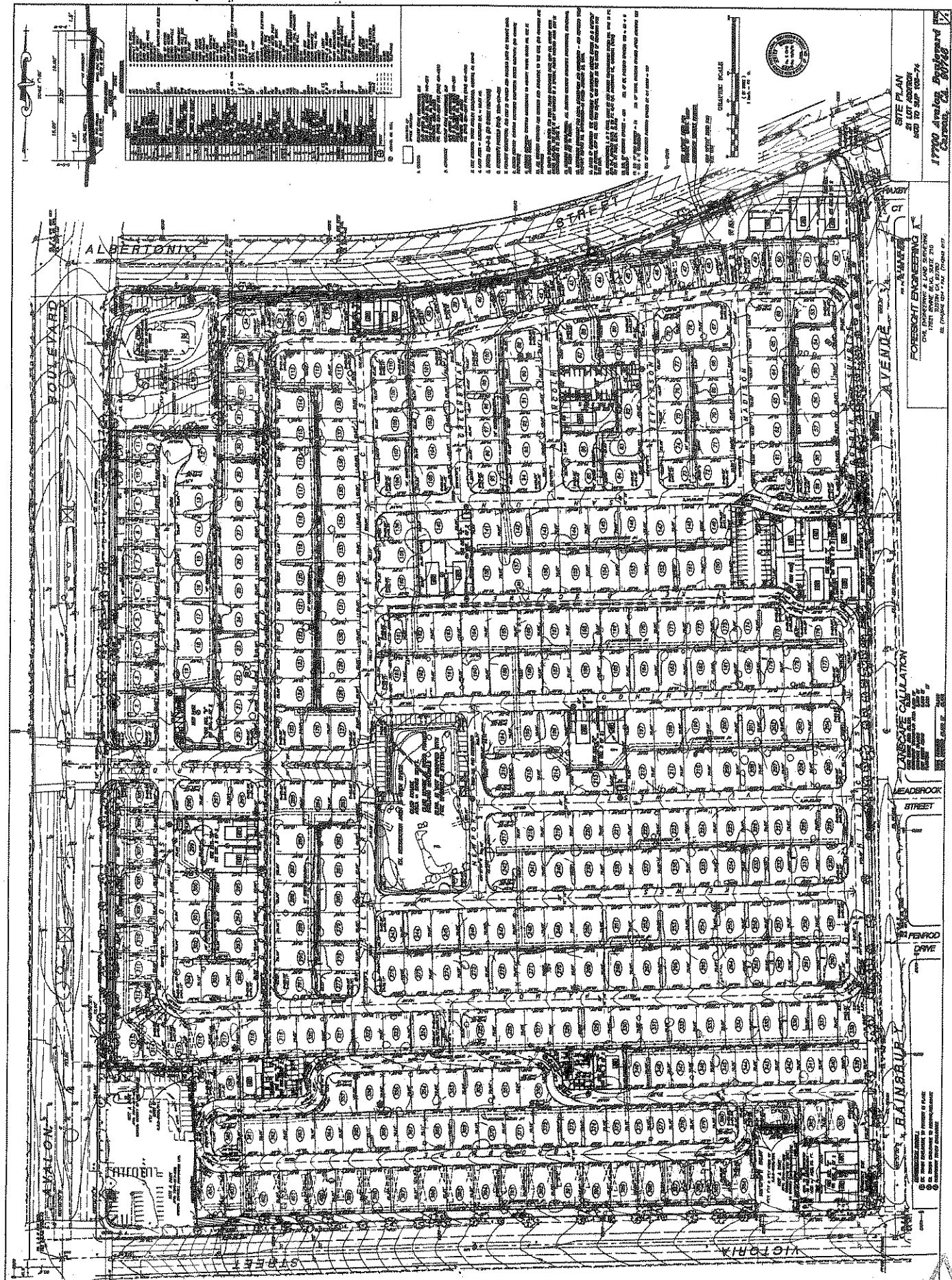


EXHIBIT NO. 3



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:

February 26, 2008

SUBJECT:

Modification to Special Use Permit No. 106-74

APPLICANT:

Colony Cove Properties
c/o James Associates
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262

REQUEST:

To permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

PROPERTY INVOLVED:

17700 Avalon Boulevard

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

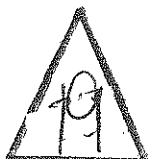
☒ Other

Vice-Chair Hudson moved, seconded by Commissioner Saenz, to continue that matter to the March 25, 2008, Planning Commission meeting to allow the applicants time to confer with staff on Condition Nos. 47 through 52. Motion carried.

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
✓		Chairperson Faletogo	✓		Graber
✓		Vice Chair Hudson	✓		Saenz
✓		Cannon	✓		Verrett

EXHIBIT NO. 4 -



I. Introduction

On July 24, 2006, the applicant submitted an application for the addition of 21 mobile home spaces to the existing Colony Cove Mobile Home Estates, a 404-unit, renter occupied, mobile home park located at 17700 Avalon Boulevard. The applicant intends to provide additional parking and passive recreation areas and designate five of the mobile home spaces as affordable housing. The applicant will also contribute a portion of property to the Los Angeles County Fire Department to allow for an expansion to Fire Station No. 116. This application includes the following discretionary permit:

- Modification to Special Use Permit No. 106-74 – Addition of 21 mobile home spaces to existing 404-unit mobile home park.

II. Background

The subject property is located on the east side of Avalon Boulevard, north of Victoria Street and south of Albertoni Street. The property is 52.46 acres in area and zoned RM-8-D (Residential, Multi-family – 8 Dwelling Units per Acre – Design Overlay). Colony Cove Mobile Estates, built in 1975, was authorized by Special Use Permit No. 106-74.

Surrounding Area

Adjacent to the northwest of the subject site is a retail fast-food establishment, and to the southwest is a small retail strip center and public library. Along the south boundary of the subject property is Fire Station 116 and south, across Victoria Street, is California State University, Dominguez Hills. To the east is the Stevenson Village housing tract comprised of two-story, single-family residential homes. The north property line of the subject property faces Albertoni Street and the 91 Freeway.

The applicant has applied for a subdivision to convert the existing mobile home park to resident ownership. A moratorium is currently in effect prohibiting the consideration of any mobile home park conversions. Consideration of the request for the additional 21 units has no bearing on the pending subdivision application.

III. Analysis

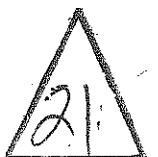
There were oil fields and oil wells in use prior to most of the development on and in the vicinity of the subject property. Oil wells previously occupied many of the proposed mobile home spaces. These wells have since been properly removed and capped pursuant to California Division of Oil and Geothermal Resources requirements, according to documents submitted by the applicant. These areas are considered safe for occupancy. Other proposed spaces are currently occupied by open areas, marked and unmarked guest parking areas, and trash enclosure locations. The applicant intends to clean up the vacant areas, grade them (if necessary), and prepare them for mobile home occupancy. This application is not for a subdivision of land, but to add additional mobile home spaces to the existing 52 acre lot.



The original permit was approved as a Special Use Permit, which was the predecessor to what is now called a Conditional Use Permit (changed in 1978). Although the entitlement nomenclature has changed, the findings remain the same, pursuant to CMC Section 9172.21.

Findings: Modification to Special Use Permit No. 106-74

- a). *The proposed use and development will be consistent with the General Plan*
The General Plan Housing Element calls for the the promotion of a variety of housing types, including mobile homes, and the development of quality affordable housing. The proposed 21 units exceeds the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide affordable housing opportunities for five of the 21 new spaces (25%). Pursuant to state housing guidelines, the maximum density for a zone may be exceeded provided the new development offers a minimum percentage of affordable housing. This proposal is compliant with this requirement. Thus, the development will facilitate achievement of goals and objectives of the General Plan.
- b). *The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development*
The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c). *There will be adequate street access and traffic capacity*
Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city and sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations on the east side of the subject property along Rainsbury Avenue.
- d). *There will be adequate water supply for fire protection*
There are many fire hydrants located throughout the subject property. There is adequate water supply for the hydrants and sufficient access for fire department equipment and personnel in the event of an emergency.
- e). *The proposed use and development will be compatible with the intended character of the area*
The zoning for the property calls for multi-family residential uses, which the proposed use is compabitle with. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f). *Such other criteria as are specified for the particular use in other Sections of this Chapter*
The project is compliant with applicable zoning codes and other criteria as specified for the use in the zoning code.



Issue of Concern: Affordable Housing Opportunities

The applicant is requesting to add 21 additional mobile home spaces to the existing 404-unit park, for a total of 425 units. The density allowed pursuant to the property's RM-8-D zoning designation is eight units per acre, which is a maximum of 420 units. As previously stated, state housing guidelines allow the maximum density for a zone to be exceeded provided the new development offers a minimum percentage of affordable housing. The applicant is proposing to have 25 per cent of the new units deemed affordable, which is consistent with the State requirement. The level of affordability is to be determined by agreement with the city. The actual location of the affordable units is to be dispersed among the new spaces in the park, so that there is equal distribution of affordable units in the park. It is anticipated that someday the applicant will apply for a subdivision conversion of the existing mobile home park to provide home ownership opportunities for the residents. If this happens, the affordable units created by the approval of the 21 unit expansion will remain affordable after the subdivision occurs, although the actual location of the affordable units may differ from their location prior to the subdivision. In either case, the rent plus the monthly cost of the unit must not exceed income levels as defined by an agreement with the city. The applicant may have to subsidize the purchase of the unit to qualify as an affordable unit. The details of the program have not been finalized.

MITIGATION: Conditions of approval have been added to the attached resolution to ensure that five of the 21 new units remain affordable for low-income renters, until such time that a subdivision conversion occurs, and affordable, at levels to be determined by an agreement with the city, for potential homeowners if and when a subdivision conversion is completed.

Issue of Concern: Land Dedication

The southern border of the subject property is adjacent to Los Angeles County Fire Station No. 116. The rear yards of two of the proposed spaces are adjacent to the east side of the fire station. The Fire Department has recently submitted an application for expansion of the fire station by adding a new truck bay to the east side of the existing building and additional employee parking areas along the east property line. In order to accommodate the fire department's proposed expansion the applicant has agreed to adjust the subject property lot lines to provide 39-feet to the fire station.

MITIGATION: A condition of approval has been added to the attached resolution which requires that the applicant adjust the subject property lot lines to accommodate the 39-feet of land to facilitate the fire department expansion.

Issue of Concern: Mobile Home Park Community Concerns

The applicant held a community meeting with Colony Cove residents December 12, 2007, in the Colony Cove community center. Staff held a subsequent meeting with park community stakeholders on January 22, 2008 and conducted individual



meetings with interested residents. Residents raised a variety of issues, which include the following:

- a). Guest parking concerns, in terms of the number of spaces and location of guest parking areas;
- b). Rent control issues for the 21 additional units;
- c). Potential contamination from oil well debris and residue from previous oil well usage in vicinity;
- d). Trash enclosure locations and issues related to collection methods and times;
- e). Storage and location of maintenance facilities for homeowner's association, including emergency response vehicle ("people-mover") and related equipment;
- f). Capital improvement cost issues;
- g). Parks and open space – location and quantity;
- h). Traffic issues, potential modifications to existing patterns.

The applicant addresses these issues as follows:

- a). The zoning code requires one guest parking space for every four units. There are 108 existing guest parking spaces, including nine disabled parking spaces. The development plans include an additional 32 guest parking spaces, for a total of 144 guest parking spaces, including 18 parking spaces for the disabled. The applicant has worked with staff and community stakeholders to provide the new guest parking in dispersed locations among the park so that guest parking is accessible by visitors to all areas of the park. Numerous revisions were made to the proposed site plan to accommodate various requests concerning the quantity and location of guest parking. Staff believes that the current layout is sufficient to meet the stated needs of the residents.
- b). Currently, Colony Cove Mobile Estates is required to maintain affordable rental rates for the 404 existing units pursuant to the Carson Rent Stabilization Ordinance. Any new units are exempt from rent control and will be offered at market rate rents, except for the five new units that the applicant will provide as affordable housing for income levels to be determined by agreement with the city. If approved then, 409 of the 425 mobile home units will be required to maintain affordable rental rates.
- c). The applicant has provided documentation of "no further action" letters for each of the former oil well sites from the State Department of Oil and Geothermal Resources, which is indicative of proper capping and abandonment of those sites. According to the applicant, the sites have been found to be free of contaminants and safe for residential occupation.
- d). Residents were concerned with the lack of adequate waste disposal facilities, including recycling bins in the park, and the dilapidated condition of existing trash enclosures. Staff has worked with the applicant to revise the development plans to include trash enclosure locations and details. The applicant has agreed to



provide additional trash enclosures throughout the park, including a larger trash and recycling area located near the community center. Conditions of approval have been added to the attached resolution to ensure that existing trash enclosures are upgraded to current municipal code standards, and new trash enclosures and recycling areas are provided.

- e). Certain members of the homeowner association currently house emergency equipment and related paraphernalia in their homes and carport. Years ago, a luggage moving vehicle was donated to the homeowner's association which is currently housed in a resident's carport. The association maintains this vehicle for use in the event of a major catastrophe or other emergency. It is referred to as the "people-mover". According to park residents, discussions with the property manager resulted in a tentative agreement to provide a location in the new development plan for a maintenance shed for storage of emergency equipment and general storage for the association, and a covered carport for the "people-mover". The applicant has provided space along the new parking area in the northwest corner of the property for the equipment shed and a covered carport space.
- f). Any request for a capital rent increase will be reviewed pursuant to the standard procedures utilized by the Mobilehome Rent Review Board.
- g). According to Condition of Approval No. 10, in Exhibit "B" of Planning Commission Resolution No. 74-277 approving Special Use Permit No. 106-74, the recreation facility shall be no less than one-hundred square feet per mobile home unit in size. The additional 21 proposed units would increase this amount by 2,100 square feet. The applicant has identified a number of pocket parks adjacent to proposed guest parking areas, which are located throughout Colony Cove. Benches and tables will be provided in each park. The total square footage of new open-space park areas exceeds 12,000 square-feet. Staff considers this sufficient to meet the intent of that condition.
- h). There were issues raised concerning the existing traffic patterns in the park and the cumulative traffic impacts associated with 21 additional units. Although staff does not anticipate increased traffic from the park as a result of the additional units, the city Traffic Engineer provided an assessment of potential traffic outlets from the park which would help to mitigate any potential traffic impacts. There were two alternatives suggested, which included a new driveway onto Albertoni Street from Madison Drive on the north side of the park, and from Villa West on the east side of the park onto Rainsbury Drive. Both alternatives were not feasible, according to the Traffic Engineer, as they would cause deleterious effects over and above those which may result from using the existing entrance and exit from Avalon Boulevard. Staff suggests that the applicant leave the traffic control pattern in its current state.



IV. Environmental Review

Based upon analysis of the environmental impact of the proposed project, a Negative Declaration has been prepared, pursuant to CEQA regulations. The 20-day period for public review and comment on this Negative Declaration ended February 26, 2008. No comments have been received by the Planning Department regarding the Negative Declaration.

V. Conclusion

This project will provide an increased amount of affordable housing opportunities, rental housing, sufficient upgrades to the existing mobile home park, and help to facilitate the achievement of General Plan Housing Element goals and objectives.

VI. Recommendation

That the Planning Commission:

- **ADOPT** the Negative Declaration;
- **APPROVE** Modification to Special Use Permit No. 106-74; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson approving Modification to Special Use Permit No. 106-74 for the addition of 21 mobile home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard."

IV. Exhibits

1. Site Plan, Floor Plan, Elevations (under separate cover)
2. Land Use Map
3. Resolution
4. Initial Study and Negative Declaration

Prepared by: _____

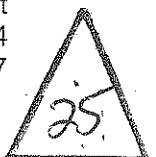
Steven C. Newberg, AICP, Associate Planner

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp-Loadsmann, Planning Division Manager



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-2196

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
CARSON APPROVING MODIFICATION TO SPECIAL USE PERMIT NO.
106-74 FOR THE ADDITION OF 21 MOBILE HOME SPACES TO AN
EXISTING 404-UNIT MOBILE HOME PARK LOCATED AT 17700
AVALON BOULEVARD

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, Colony Cove Properties, with respect to real property located at 17700 Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting authorization of a Modification to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

Public hearings were duly held February 26, 2008 and March 25, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meetings were duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meetings.

Section 3. The Planning Commission finds that:

- a) The General Plan Housing Element calls for the promotion of a variety of housing types, including mobile homes, and the development of quality affordable housing. The proposed 21 units exceeds the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide additional mobile home spaces and affordable housing opportunities for five of the new spaces. The mobile home park is allowed to exceed the maximum density provided they provide affordable housing. In doing so, the development will facilitate achievement of goals and objectives of the General Plan.
- b) The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c) Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city. Avalon Boulevard is considered sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations along the east side of the subject property, facing Rainsbury Avenue.
- d) There are a sufficient number fire hydrants located throughout the subject property to facilitate the suppression of fire. There is adequate water supply for the hydrants and efficient means of access for fire department equipment and personnel in the event of an emergency.

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- e) The zoning for the property calls for multi-family residential uses, with which the proposed use is compatible. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f) The proposed site plan is designed to mitigate park residents' concerns voiced in community meetings between staff, the applicant and park residents during the review process of this application, and has been revised in response to the salient issues raised by residents in these meetings.

Section 4. The Planning Commission further finds that the use permitted by the proposed Modification to Special Use Permit No. 106-74 will not have a significant effect on the environment as indicated in the Initial Study and Negative Declaration prepared for this project. The proposed use will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment. The Planning Commission hereby adopts the Negative Declaration.

Section 5. Based on the aforementioned findings, the Commission hereby grants a Modification to Special Use Permit No. 106-74, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and adopts the Negative Declaration.

Section 6. The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF MARCH, 2008.


CHAIRMAN

ATTEST:


SECRETARY

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CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION
MODIFICATION TO SPECIAL USE PERMIT NO. 106-74

Property Address: 17700 Avalon Boulevard

The land referred to as parcel no. 7319-017-086 is described as follows:

Parcel 1 in the City of Carson, County of Los Angeles, State of California, as shown on Parcel Map No. 6150 filed in Book 69, Pages 69, 70, and 71 of Parcel Maps, in the Office of the County Recorder of said County.

Except from said land that portion lying below a depth of 500 feet, measured vertically from the surface of said land, as said surface existed on October 25, 1965.

Also except therefrom all mobile homes situated on said land.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
MODIFICATION TO SPECIAL USE PERMIT NO. 106-74

GENERAL CONDITIONS

1. If a permit for new mobile homes is not obtained from the State Housing and Community Development Department, or if a building permit is not given for new construction on the project site within one year of the date of approval of Modification to SUP No. 106-74, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the approved development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Should an affordable housing agreement between the applicant and the city not be finalized, as required by Condition No. 10, a modification to the site plan shall be reviewed and approved by the Planning Commission to authorize an alternative use for the five units.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.

[Handwritten signature]



6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification to Special Use Permit No. 106-74. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

AFFORDABLE HOUSING

10. The applicant shall provide affordable rental housing for five new units at income levels and locations to be determined pursuant to an agreement with the city. The affordable rental rate shall be targeted to moderate (or below)-income households, unless otherwise approved by the city, and may be patterned after State Government Code 66427.5 at the discretion of the city. The affordable rental rate shall remain in effect for a period of not less than 30 years or until such time that the city approves an amendment to the agreement. The affordable housing costs shall consider space rent, principle and interest on the mobilehome, mortgage loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs and a reasonable allowance for utilities. The program must be approved by the city before the applicant gets occupancy of units. Notwithstanding the foregoing, the applicant shall have no obligation to comply with this condition in the event that the city and the applicant are unable to come to an agreement on applicable rental rates and the affordable housing agreement for the five affordable units (see Condition No. 5).

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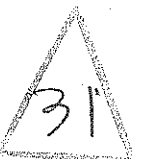
11. If a subdivision conversion to resident ownership is approved, the affordable rental housing covenant on the five units shall be converted to low-income home ownership opportunities for five units. The locations of such units will be subject to an agreement with the city. The agreement shall include a formula to provide a fair distribution between land value and unit value.

PARKING

12. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
13. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
14. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
15. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with preliminary landscape plans dated as received by the Planning Department on February 14, 2008. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. Such landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Trees, grass, and vine-like landscaping in the proposed park areas;
 - b. Perimeter landscaping near the "dog-run" area, as described on the site plan marked "Exhibit D";
 - c. Annual flowers wherever possible; and
 - d. Irrigation system designed to commercial grade standards.Furthermore, these plans are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.
18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."



19. The applicant shall install 6-inch by 6-inch concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
20. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

23. The specification of all colors and materials of new construction of trash enclosures, maintenance shed, and carport must be submitted and approved by the Planning Division prior to the issuance of any building permits.
24. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.)

FENCES/WALLS

25. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9126.3 (residential zones) of the Zoning Ordinance.

TRASH

26. Trash enclosures and recycling areas shall be located on four-inch concrete pads and in locations consistent with the approved site plan, subject to Planning Division review and approval. Painted metal, self-closing doors shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

27. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

28. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
29. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
30. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
31. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
32. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
33. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.
34. At the discretion of the applicant, a 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County Recorder's Office prior to the occupancy of the new spaces.

PUBLIC SAFETY - CITY OF CARSON

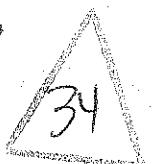
35. Ensure compliance with current seismic mitigation codes.
36. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

37. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
38. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.

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39. Dedicate 6-ft of additional right-of-way along portions of Rainsbury Avenue. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Records Office.
40. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
41. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
42. Repair any broken or raised (one-inch or more) sidewalk, curb and gutter along Avalon Blvd, Albertoni Street, Victoria Street and ~~Rainsbury Avenue~~ within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer, which is limited to \$10,000 or less in performance costs. *OK ✓ [Signature] (SN) 5/21/08*
43. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
44. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
45. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
46. If any, remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
47. Install and/or modify (if necessary) existing wheelchair ramp along Avalon Boulevard at the entrance and exit to the subject site, and at the northwest corner of Rainsbury Avenue and Victoria Street per City of Carson Standard, in compliance with ADA requirements.
48. In the event that the applicant proposes future improvements allowing vehicular access entering or exiting onto Rainsbury Avenue (apart from the two existing "crash gates"), the applicant shall install streetlights on concrete poles with underground wiring Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
49. All new utility lines, along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue abutting the proposed development shall be underground to the satisfaction of the City Engineer.



50. Plant approved parkway trees on locations along Avalon Boulevard and Victoria Street where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134. All new trees must be kept adequately watered.
51. Paint Curbs Red along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
52. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
53. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
54. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
55. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
56. Comply with mitigation measures recommended by the water purveyor.
57. The Developer shall submit a copy of approved plans on mylars (i.e. Grading, Sewer, Street, and Storm Drain Improvement Plans), to the City of Carson - Engineering Division, prior to issuance of construction permits.
58. A construction permit is required for any work to be done in the public right-of-way.
59. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
60. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
61. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the Engineer in the field. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)

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62. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
63. Prior to issuance of Building Permit, the following must be on file:
64. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
65. Construction bond as required for all work to be done within the public right of way.
66. Proof of Worker's Compensation and Liability Insurance.
67. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

68. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.



Adrienne Konigar-Macklin, noting she will be taking his place on this Commission.

Assistant City Attorney Adrienne Konigar-Macklin provided a brief history of her work in the field of law and stated she is a recent partner at this law firm.

9. CONSENT CALENDAR

Commissioner Brown requested pulling Item No. 9B from the Consent Calendar.

Minutes: February 24, 2009 and March 10, 2009

MOTION: Commissioner Cannon moved, seconded by Commissioner Brown, to approve the Consent Calendar, with the exception of Item No. 9B. Motion carried (absent Commissioner Gordon).

9. NEW BUSINESS CONSENT

**C) Extension of Time for Modification No. 1 to
Special Use Permit No. 106-74**

Applicant's Request:

The applicant, Colony Cove Properties, is requesting a one-year time extension for Modification No. 1 to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zoned district. The property is located at 17700 Avalon Boulevard.

Staff's Recommendation:

APPROVE the extension of time for Modification No. 1 to Special Use Permit No. 106-74 until March 25, 2010; and ADOPT a Minute resolution extending the approval to March 25, 2010.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Commissioner Brown, to approve the one-year extension to March 25, 2010. Motion carried (absent Commissioner Gordon).

13. WRITTEN COMMUNICATIONS

EXHIBIT NO. 5 -

- A Practical Guide to the California Environmental Quality Act

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CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 13, 2010

SUBJECT: Modification No. 2 to Special Use Permit No. 106-74

APPLICANT: Colony Cove Properties (c/o James and Associates)
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262

REQUEST: To reauthorize the development of an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

PROPERTY INVOLVED: 17700 S. Avalon Boulevard

COMMISSION ACTION

- ☐ Concurred with staff
- ☐ Did not concur with staff
- ☐ Other Commissioner Verrett moved, seconded by Commissioner Gordon, to approve the applicant's request, thus adopting Resolution No. 10-2300. Motion carried (absent Vice-Chairman Saenz).

AYE	NO		AYE	NO	
✓		Chairman Faletogo	✓		Graber
Absent		Vice-Chair Saenz	✓		Park
✓		Brimmer	✓		Schaefer
✓		Brown	✓		Verrett
✓		Gordon			

EXHIBIT NO. 7 -

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I. Introduction

On March 25, 2008, the Planning Commission approved Modification No. 1 to Special Use Permit (SUP) No. 106-74 for the development of an additional 21 mobile home spaces to the existing Colony Cove Mobile Home Estates, a 404-unit, renter-occupied, mobile home park located at 17700 S. Avalon Boulevard in the north-central area of Carson.

On April 14, 2009, through minute resolution, the Planning Commission approved a one-year extension of time for Modification No. 1 until March 25, 2010. The current application for Modification No. 2 to SUP No. 106-74 is for the same project that was approved by the Planning Commission in 2008.

II. Background

The approval of Modification No. 1 to SUP No. 106-74 included a requirement (Condition of Approval No. 10 of Resolution No. 08-2196) for an affordable rental agreement for five (5) of the 21 units. The one-year time extension was approved to allow additional time for the applicant and city to work on the affordable rental agreement.

Pursuant to Condition No. 1 of Planning Commission Resolution No. 08-2196 only a single one-year extension of time may be given. Because the applicant failed to take action on the permit before the extension of time expiration date, Modification No. 1 has expired. Modification No. 2 is the exact proposal as Modification No. 1, with the nominal change to the modification number to ensure that records are kept in order.

To date, legal challenges between the property owner and the city have taken some attention away from actively pursuing the affordable rental agreement, which is why certain issues related to this agreement have yet to be resolved. While the city and owner remain desirous of entering into such an agreement, additional time is required to do so, hence the application for a new permit which should provide ample time for these issues to be resolved and an agreement sought.

III. Analysis and Findings

The project design and proposed use has not changed from the originally approved plans. Therefore, the same findings can be made. Planning Commission Resolution No. 08-2106 has been included for your reference.

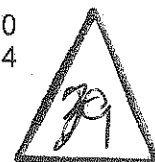
IV. Environmental Review

Based upon analysis of the environmental impact of the proposed project, a Negative Declaration has been prepared, pursuant to CEQA regulations. The 20-day period for public review and comment on this Negative Declaration ended April 13, 2010. No comments have been received by the Planning Department regarding the Negative Declaration.

V. Recommendation

That the Planning Commission:

Planning Commission Staff Report – April 13, 2010
Modification No. 2 to Special Use Permit No. 106-74



- **ADOPT** the Negative Declaration;
- **APPROVE** Modification No. 2 to Special Use Permit No. 106-74; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson approving Modification No. 2 to Special Use Permit No. 106-74 for the addition of 21 mobile home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard."

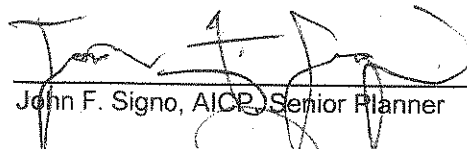
VI. Exhibits

1. Land-Use Map
2. Draft Resolution
3. Initial Study and Negative Declaration
4. Planning Commission Staff Report Dated February 26, 2008 (without exhibits)
5. Excerpt of Planning Commission Minutes Dated February 26, 2008
6. Planning Commission Resolution No. 08-2196
7. Excerpt of Planning Commission Minutes Dated March 25, 2008
8. Development Plans (under separate cover)


Prepared by:


Steven Newberg, AICP, Associate Planner

Reviewed by:

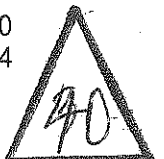

John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp-Loadsman, Planning Officer

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Planning Commission Staff Report – April 13, 2010
Modification No. 2 to Special Use Permit No. 106-74





CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: April 12, 2011

SUBJECT: Extension of Time for Modification No. 2 to Special Use Permit No. 106-74

APPLICANT/OWNER: Colony Cove Properties
c/o James Associates
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262

REQUEST: A one-year time extension for Modification No. 2 to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates).

PROPERTY INVOLVED: 17700 South Avalon Boulevard

COMMISSION ACTION

Concurred with staff

Vice-Chairman Park moved, seconded by Chairman Faletogo, to approve the applicant's request.
Motion carried as follows:

AYES: Diaz, Faletogo, Gordon, Park, Saenz, Schaefer, Verrett
NOES: None
RECUSED: Goolsby
ABSENT: Brimmer

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
X		Chairman Faletogo	X		Gordon
X		Vice-Chair Park	X		Saenz
Absent		Brimmer	X		Schaefer
X		Diaz	X		Verrett
Recused		Goolsby			

EXHIBIT NO. 8 -



I. Introduction

The applicant, Colony Cove Properties, is requesting a one-year extension for Modification No. 2 to Special Use Permit No. 106-74, pursuant to Condition No. 1 of Planning Commission Resolution No. 10-2300. The property is located at 17700 South Avalon Boulevard and is zoned RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay).

II. Background

This application represents a second request for a one-year time extension for the same project (Modification No. 2 to SUP No. 106-74). An extension of time for Modification No. 1 to SUP 106-74 was approved by the Planning Commission on April 14, 2009 and expired on March 25, 2010. The applicant and the city were still negotiating terms of the affordable rental agreement at that time, and the applicant sought to extend the permit for a second time.

On April 13, 2010, the Planning Commission considered and approved Modification No. 2 to Special Use Permit No. 106-74, to permit an additional 21 mobile home spaces to the existing 404-unit mobile home park - Colony Cove Mobile Estates. The approval included a requirement (Condition of Approval No. 10 of Resolution No. 10-2300) for an affordable rental agreement for five (5) of the 21 units. The applicant submitted a request for a one-year time extension on February 10, 2011 to continue work on the affordable rental agreement. To date, certain issues related to this agreement have not been resolved.

III. Recommendation

That the Planning Commission:

- **APPROVE** the extension of time for Modification No. 2 to Special Use Permit No. 106-74 until April 13, 2012; and
- **ADOPT** a minute resolution extending the approval to April 13, 2012.

IV. Exhibits

1. Letter from the applicant's attorney requesting an extension of time dated February 9, 2011
2. Planning Commission Resolution No. 10-2300 adopted on April 13, 2010.

Prepared by: _____
Steven C. Newberg, AICP, Associate Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp-Loadsman, Planning Division Manager

