

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 23-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON MAKING A CEQA FINDING OF RELIANCE ON PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION AND APPROVING A TWO-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY GRANTED PROJECT ENTITLEMENTS (SITE PLAN AND DESIGN REVIEW NO. 1773-19 AND CONDITIONAL USE PERMIT NO. 1094-19, WITH CONDITIONS OF APPROVAL) FOR A 35-UNIT CONDOMINIUM DEVELOPMENT LOCATED AT 427 EAST 220TH STREET

WHEREAS, on February 11, 2020, the Planning Commission adopted Resolution No. 20-2686, approving Site Plan and Design Review (DOR) No. 1773-19, Conditional Use Permit (CUP) No. 1094-19, Lot Line Adjustment (LLA) No. 286-19, and Tentative Tract Map (TTM) No. 06700, and recommending City Council approval of Zone Change (ZC) No. 180-19 (collectively with the DOR, CUP, LLA and TTM, the “Project Entitlements”) and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MND/MMRP), for a 35-unit condominium development on real property located at 427 East 220th Street and legally described in Exhibit “A” attached thereto (the “Project”), subject to the Project conditions of approval attached to said resolution as Exhibit “B”; and

WHEREAS, on March 17, 2020, the City Council adopted Ordinance No. 20-2003 adopting the MND/MMRP and approving ZC No. 180-19 to change the zoning designations from RM-8-D (Residential Multiple-Family - 8 Dwelling Units/Acre with a Design Overlay to RM-12-D (Residential Multiple-Family - 12 Dwelling Units/Acre with a Design Overlay) for APNs 7335-007-017, 7335-006-023, and 7335-006-024 for the Project; and

WHEREAS, pursuant to Condition No. 3 of the Project conditions of approval, “Development project approval shall become null and void two years following the effective date of application approval unless a building permit is issued, and construction is commenced and diligently pursued toward completion, or a time extension has been approved by the Planning Manager.” The Planning Commission finds that the “effective date of application approval,” for purposes of this condition, was March 17, 2020, when the City Council project approval was given; and

WHEREAS, on October 11, 2021, pursuant to Condition No. 3 of the Project conditions of approval, the Planning Manager provided written approval extending the time period of effectiveness of the Project Entitlements for an additional 12 months, until March 16, 2023; and

WHEREAS, on December 8, 2022, the Department of Community Development received an application from Richard Welter requesting a second extension of time for

effectiveness of the Project Entitlements. The request is for a two-year time extension for the Project Entitlements (the “Request”); and

WHEREAS, pursuant to CMC 9172.21(H)(1), a CUP approval “shall become automatically null and void, unless otherwise provided in this Chapter or unless extended as provided in subsection (H)(2) of this Section, if any of the following occurs: (a) The permit has not been used within the time specified in the permit”; and

WHEREAS, pursuant to CMC 9172.23(I)(1), a DOR approval “shall become automatically null and void, unless otherwise provided in this Chapter or unless extended as provided in subsection (I)(2) of this Section, if any of the following occurs: . . . (a) Within two (2) years from the Approving Authority’s action, a construction permit . . . shall be issued by the Building Official for the Development Plan”; and

WHEREAS, CMC 9172.23(I)(2), with respect to DOR extensions, and CMC 9172.21(H)(2), with respect to CUP extensions, provide: “Upon application by the permit holder filed with the Director on or before the date of expiration of the permit, a permit which would otherwise expire may be extended by the Commission, or by the Council upon appeal, if the Commission or Council finds that the termination of the permit would constitute an undue hardship upon the permit holder and that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public. Extensions shall not be granted for more than a total of one (1) year unless a public hearing is held, and approval granted in the same manner and based upon the same criteria as for the issuance of a new permit”; and

WHEREAS, the requested DOR and CUP extensions therefore require Planning Commission approval, per the CMC. The requirement for extension of the remaining Project Entitlements (LLM, TTM, ZC) comes solely from Condition No. 3 of the Project conditions of approval; extension of such entitlements is not also required per the CMC, unlike for the CUP and DOR entitlements. Accordingly, extension of the LLA, TTM and ZC entitlements can only be granted by the Planning Manager, per the language of Condition No. 3; and

WHEREAS, a staff report with recommendations was submitted, and the Planning Commission held a duly noticed public hearing to consider the Request on the 28th day of February 2023.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOW:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Planning Commission finds as follows:

1. With respect to the **Site Plan and Design Review No. 1773-19** to permit the design for the 35-unit condominium project:
 - a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use Designation of Medium Residential. The proposed condominium project is compatible with the surrounding uses.

- b) The proposed project is compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. The proposed project consists of developing 35 free standing residential condominiums with enclosed parking, open space, guest parking and internal private road.
 - c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. The development will have pedestrian and vehicular accessibility via one entry point located at East 220th Street. The internal driveway will provide full access to the development. Carson Municipal Code Section 9162.21(Parking Spaces Required) (A. Residential) (4. Condominiums) requires 2 spaces within a garage for each dwelling unit and 1 guest parking space for every 1 multifamily unit with 3 bedrooms or more. The proposed condominium development requires 70 spaces within a garage (2 spaces X 35 units = 70). The proposed development requires 35 guest parking spaces (1 space X 35 units = 35). The applicant proposes 70 spaces within a two-car garage per unit and 35 guest parking spaces; 22 regular, 11 compact and 2 ADA compliant parking spaces. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.
 - d) All signage associated with this project will comply with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness and restraint in signing graphics and color.
 - e) The proposed xeriscape landscape plan will comply with applicable water conservation requirements. Permanent irrigation utilizing best water conservation practices will be installed for both on and off-site landscaped areas. It will include several tree species across the project site including Olive, Magnolia, California Sycamore, Desert Willow, Italian Cypress and Australian Willow. Trees will be installed to provide screening along all the 220th Street property lines. Additional trees, shrubs and groundcover will be planted to screen the adjoining single-story residences to the north, east and west.
2. With respect to **Conditional Use Permit (CUP) No. 1094-19** to permit the use of a 35-unit condominium development:
- a) The proposed project is consistent with the General Plan of the City of Carson, including the General Plan Land Use designation of Medium Density Residential which applies to the project site.
 - b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development of a 35-unit condominium development.
 - c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. The development will have pedestrian and vehicular accessibility via one entry point located at East 220th Street. The internal driveway will provide full access to the development. Carson Municipal Code Section 9162.21(Parking Spaces Required) (A. Residential) (4. Condominiums) requires 2 spaces within a garage for each dwelling unit and 1 guest parking space for every 1 multifamily unit with 3 bedrooms or more. The proposed condominium development requires 70 spaces within a garage (2 spaces X 35 units = 70). The proposed development requires 35 guest parking spaces (1 space X 35 units = 35). The applicant proposes 70 spaces within

a two-car garage per unit and 35 guest parking spaces: 22 regular, 11 compact and 2 ADA compliant parking spaces. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.

- d) The County Fire Department has reviewed the proposed project and concluded that adequate water supply exists to meet current and anticipated fire suppression needs.
- e) The proposed use and development of the 35-unit condominium development, which consists of 35 free standing residential condominiums with enclosed parking, open space, guest parking and internal private road, will be compatible with the intended character of the area.

SECTION 3. The MND/MMRP for the project was adopted by City Council Ordinance No. 20-2003. The DOR and CUP time extensions contemplated in this Resolution do not affect that determination. Since adoption of the MND/MMRP, there has been no change to the project or its circumstances that would require revisions to the MND/MMRP, and no new information of substantial importance to the project has become available. As such, no subsequent EIR, subsequent negative declaration, addendum, or other CEQA document is required to be prepared in connection with the extensions (Pub Res. Code §21166; 14 CCR §15162).

SECTION 4. The Planning Commission hereby approves a two (2)-year time extension, effective and commencing as of March 16, 2023, of effectiveness of: (i) Site Plan and Design Review No. 1773-19, pursuant to CMC 9172.23(I)(2); and (ii) Conditional Use Permit No. 1094-19, pursuant to CMC 9172.21(H)(2). The Planning Commission also hereby ratifies the Planning Manager's October 11, 2021, written approval of one-year extensions of these entitlements for the period ending March 16, 2023. All existing/previously approved conditions of approval applicable to these entitlements are and will remain unmodified by the extensions granted pursuant to this section. The Planning Commission finds that following this action of the Planning Commission, a further Planning Manager approval of the requested two-year extensions for the Project Entitlements remains necessary in order for the Project applicant to comply with Condition No. 3 of the Project conditions of approval.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of this action unless an appeal is filed within said time period in accordance with Section 9173.4 of the Zoning Ordinance.

PASSED, APPROVED and ADOPTED this 28th day of February 2023.

CHAIRPERSON

ATTEST:

SECRETARY

SCHEDULE A

The form of policy of title insurance contemplated by this report is:

CLTA Standard Owners

The estate or interest in the land hereinafter described or referred to covered by this report is:

A FEE

Title to said estate or interest at the date hereof is vested in:

Cambria Court, LLC, a California limited liability company, as to Parcels 1 through 9; and

Henry M. Naval, a single man, Jocelyn N. Maramba, a married woman, Lambert M. Naval and Delfin M. Naval, Jr., all married as their sole and separate property as joint tenants, as to Parcels 10 and 11, SUBJECT TO Item Nos. 43, 44 and 45 of Schedule B, Section B

The land referred to herein is situated in the County of Los Angeles, State of California, and is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF



EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel 1:

The Westerly 100 feet of the Easterly 127 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Except therefrom the Southerly 255 feet of said land.

Parcel 2:

The Northerly 50 feet of the Southerly 255 feet of the Westerly 100 feet of the Easterly 127 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 3:

The South 105 feet of the East 63.5 feet of the West 127 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 4:

The East 63.5 feet of the West 254 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 5:

The East 63.5 feet of the West 190.5 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 6:

The North 50 feet of the West 127 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 6A:

The South 50 feet of the North 100 feet of the West 127 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 6B:

The South 50 feet of the North 150 feet of the West 127 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.



Parcel 6C:

The South 74 feet of the North 224 feet of the West 63.50 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 6D:

The South 50 feet of the North 200 feet of the East 63.50 feet of the West 127 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 6E:

The Easterly 4 feet of the North 224 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 7:

The Northerly 100 feet of the Southerly 205 feet of the Westerly 100 feet of the Easterly 127 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 8:

The Easterly 127 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Except the Westerly 97 feet of the Southerly 105 feet thereof.

Also except therefrom the Westerly 100 feet of the Northerly 150 feet of the Southerly 255 feet thereof.

Also except therefrom the Easterly 4 feet of the Northerly 224 feet thereof.

Also except therefrom the Easterly 4 feet of the South 81 feet thereof.

Parcel 9:

The East 63.5 feet of the West 317.5 feet of Lot 32, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 10:

The Easterly 42.33 feet of the Westerly 127 feet of the Easterly 254 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Parcel 11:



The Easterly 42 1/3 feet of the Westerly 84 2/3 feet of the Easterly 254 feet of Lot 31, of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

APN: 7335-006-033; 7335-006-026; 7335-006-027; 7335-006-032; 7335-007-014; 733-007-016; 7335-007-030; 7335-007-029; 7335-007-017; 7335-006-23; 7335-006-024

No 032

