

MINUTES
CITY OF CARSON
PLANNING COMMISSION REGULAR MEETING
CITY COUNCIL CHAMBERS
CARSON, CALIFORNIA 90745

FEBRUARY 26, 2008 – 6:30 P.M.

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| 1. CALL TO ORDER | Chairman Faletogo called the meeting to order at 6:38 P.M. |
| 2. PLEDGE OF ALLEGIANCE | The Salute to the Flag was led by Vice-Chair Hudson. |
| 3. ROLL CALL | Planning Commissioners Present:
Cannon*, Faletogo, Graber, Hudson,
Saenz, Verrett
(*Cannon arrived at 6:45 P.M.)

Planning Commissioners Absent:
None |
| | Staff Present: Planning Manager Repp, Assistant City Attorney Galante, Senior Planner Signo, Assistant Planner Newberg, Recording Secretary Bothe |
| 4. AGENDA POSTING CERTIFICATION | Recording Secretary Bothe indicated that all posting requirements had been met. |
| 5. AGENDA APPROVAL | Commissioner Saenz moved, seconded by Vice-Chair Hudson, to approve the Agenda as presented. Motion carried (Commissioner Cannon had not yet arrived). |
| 6. INSTRUCTIONS TO WITNESSES | Chairman Faletogo requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation. |
| 7. SWEARING OF WITNESSES | Assistant City Attorney Galante |
| 8. ORAL COMMUNICATIONS | For items NOT on the agenda. Speakers are limited to three minutes.
None. |
| 9. CONSENT CALENDAR | |
- A) Minutes:** February 12, 2008

MOTION: Vice-Chair Hudson moved, seconded by Commissioner Saenz, to approve the February 12, 2008, Minutes as presented. Motion carried (Commissioner Cannon had not yet arrived).

9. NEW BUSINESS CONSENT

B) Extension of Time for Design Overlay Review No. 933-06, Conditional Use Permit No. 617-06, and Variance No. 481-06

Applicant's Request:

The applicant, Cetech Engineering, is requesting a one-year time extension for Design Overlay Review No. 993-04, Conditional Use Permit No. 617-06, and Variance No. 481-06. The subject site is located at 325, 329, and 335 West Fiat Street.

Staff Recommendation:

APPROVE the extension of time until February 27, 2009, for Design Overlay Review No. 933-06, Conditional Use Permit No. 617-06 and Variance No. 481-06; and ADOPT a minute resolution extending the approval of Design Overlay Review No. 933-06, Conditional Use Permit No. 617-06 and Variance No. 481-06 to February 27, 2009.

Planning Commission Decision:

Vice-Chair Hudson moved, seconded by Commissioner Graber, to approve the one-year extension to February 27, 2009. Motion carried (Commissioner Cannon had not yet arrived).

10. CONTINUED PUBLIC HEARING

B) Design Overlay Review No. 1006-07, Conditional Use Permit No. 673-07, and Conditional Use Permit No. 674-07

Applicant's Request:

The applicant, SFC Communications, is requesting approval to construct a freestanding 36-foot high telecommunication facility disguised as a light pole behind an existing shopping center. The subject property is zoned CN (Commercial, Neighborhood) and is located at 615 East University Drive.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1006-07, Conditional Use Permit No. 673-07, and Conditional Use Permit No. 674-07 for a freestanding, 36-foot high wireless telecommunication facility disguised as a light pole behind an existing shopping center located at 615 East University Drive." He highlighted the following changes: Delete the last sentence in Condition No. 22, "~~Three existing storage containers in the front parking area shall be removed~~"; Condition No. 23, "The property maintenance company or property owner shall be responsible for maintaining..."; and delete Condition No. 34 and renumber accordingly.

Commissioner Verrett and Commissioner Cannon expressed their concern with the ongoing crime and violence at this site.

Chairman Faletogo opened the public hearing.

Saundra Jacobs, representing the applicant, noted her concurrence with the conditions of approval.

Dr. Rita Boggs, resident, noted her support of this request.

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

Commissioner Verrett stated that more should be done to protect those who work at and visit this site.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Cannon, to deny this request. This motion was superseded by the substitute motion.

Chairman Faletogo re-opened the public hearing.

Ms. Jacobs addressed the concerns with the safety at this site, noting that the property manager is working hard to clean up this site by improving the aesthetics, lighting and security. She added that the security camera system will be linked to the Sheriff's Department; and pointed out that this applicant has gone over and above to improve the conditions at this site, more so than what a typical cell site project would have required.

Chairman Faletogo closed the public hearing.

By way of a substitute motion, Commissioner Saenz moved, seconded by Vice-Chair Hudson, to approve the applicant's request with the following amendments: Delete the last sentence in Condition No. 22, "~~Three existing storage containers in the front parking area shall be removed~~"; Condition No. 23, "~~The property maintenance company or~~ property owner shall be responsible for maintaining..."; delete Condition No. 34 and renumber accordingly; and moved to adopt Resolution No. 08-2190. Motion carried (Commissioner Verrett voted no).

11. PUBLIC HEARING

A) Relocation Review (RR) No. 3037, Conditional Use Permit No. 671-07, Ordinance Amendment to Section No. 9151.12 of the CMC

Applicant's Request:

The applicant, Goodyear Tire and Rubber, is requesting to permit the construction of a new 2,160-square-foot modular office building, and a CUP to authorize the construction on the Goodyear Airship property, currently zoned SU-BP-D-ORL (Special Use – Blimp Port – Design Overlay – Organic Refuse Landfill), portions of which are over a previous landfill. The property is located at 19200 Main Street.

Staff's Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to ADOPT the Negative Declaration; APPROVE Relocation Review No. 3037; RECOMMEND approval of Conditional Use Permit No. 671-07 to the City Council; and WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Relocation Review No. 3037 and recommending approval of Conditional Use Permit No. 671-07 to the City Council to permit the construction of a pre-fabricated office building on an Organic Refuse Landfill designated property located at 19200 Main Street."

Chairman Faletogo opened the public hearing.

Leon Felus, project architect, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Graber, to approve the request, thus adopting Resolution No. 08-2191. Motion carried.

11. PUBLIC HEARING

B) Modification to Special Use Permit (SUP) No. 106-74

Applicant's Request:

The applicant, Colony Cove Properties, is requesting 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 subject address is 17700 Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to 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."

Chairman Faletogo opened the public hearing.

Nader and Suhair Qoborsi, Foresight Engineering representing the applicant, highlighted on a map the areas being proposed for the 21 mobile homes, the trash enclosure, dog run area, parking and handicapped parking, and the new green areas inside the park.

Thomas Casparian, attorney representing the applicant, noted his opposition to Condition Nos. 47 through 52, believing these conditions do not have a reasonable

relationship to the impact of the proposed 21 spaces to this development; he mentioned that the applicant is dedicating 4,200 square feet of land to the fire department for their future expansion on Victoria Street; and asked that this matter be continued to March 25, 2008, to allow for an opportunity to meet with staff and discuss these six conditions, noting these conditions will end up costing them approximately \$750,000. He expressed his belief these conditions also constitute a taking of Colony Cove's property without just compensation and is a violation of their due process rights.

Assistant City Attorney Galante stated he disagrees with Mr. Casparian's comments regarding what the law allows the City to impose, pointing out the City's Municipal Code gives staff the authority to impose these six conditions. He added that it was the applicant's offer to dedicate the 4,200 square feet to the fire department; mentioned that the applicant can withdraw the offer to dedicate that land; stated that the conditions were not created after the fact; and reiterated that the conditions of approval are appropriately supported by the City's codes.

Bill Smalley, park resident, stated the proposed 21 spaces exceed the maximum density for this property; expressed his belief the proposal should be reduced by five spaces; and stated the last six conditions are excessive. With regard to Site D, he noted his opposition to adding up to 8 additional parking spaces on the south side of this area because it will negatively impact ingress/egress from the property and create an unsafe traffic condition.

Gary Roberts, park resident, stated the applicant should apply for a variance to exceed the maximum density by five extra units, expressing his belief a variance is still required regardless of their affordability.

Dr. Rita Boggs, resident, highlighted the proposed five affordable units, questioning whether under the rent control program, these five conditions would result in five percent of any expenses being chargeable to the rent of the entire park; and stated if that is the case, the City should be careful with imposing new conditions upon the applicant when those conditions would generate a financial impact upon the park residents.

John Goolsby, park resident, noted his support of the applicant's request and expressed his belief the last six conditions are excessive.

Planning Manager Repp advised that the rent increases for the five affordable units will most likely be guided by the CPI, not the City's rent control program.

Battalion Chief Rick Moreno, local fire department representative, commented on the needs of the adjacent fire station, noting the station needs to be enlarged to accommodate the larger vehicles and greater number of staff that use this fire station.

Planning Commission Decision:

Vice-Chair Hudson moved, seconded by Commissioner Saenz, to continue this 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.

11. PUBLIC HEARING

C) Design Overlay Review No. 1262-08, Conditional Use Permit No. 690-07, Ordinance Amendment to Section No. 9138.15 of the CMC

Applicant's Request:

The applicant, Sonic Automotive, is requesting to perform a façade remodel and related sign, landscaping, parking area, and general improvements to the former Don Kott Ford/Lincoln/Mercury automobile dealership. An Ordinance Amendment and CUP are requested to permit the sale of previously-owned ("used") vehicles as a primary use in the CA (Commercial, Automotive) zone district. The subject site is located at 21212 Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Design Overlay Review No. 1262-08 and Conditional Use Permit No. 690-08, subject to the conditions of approval attached as Exhibit "B" to the Resolution; RECOMMEND approval of the proposed Text Amendment to Section 9138.15 of the Carson Municipal Code (CMC) to the City Council, to permit the sale of used automobiles as a primary use within the CA (Commercial, Automotive) zoned district, with an approved Conditional Use Permit; and WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1262-08 for a façade remodel, recommending approval of a Text Amendment to Section 9138.15 of the Carson Municipal Code to allow for the sale of used automobiles as a primary use within the CA (Commercial, Automotive) zoned district, and approving Conditional Use Permit No. 690-08 to conduct such sales, should the text amendment be approved, on a site zoned CA (Commercial, Automotive) located at 21212 Avalon Boulevard."

Commissioner Cannon and Commissioner Saenz noted their opposition to a used car inventory being sold along this prominent roadway.

Chairman Faletogo opened the public hearing.

Murray Fischer, attorney representing the applicant, stated that Sonic is a successful Fortune 300 company that plans to bring a viable business to this site; explained that the new program is modeled after the successful CarMax program; stated that high quality used cars will be sold at this site, the majority being under five years old; and advised that each vehicle will carry a full warranty. He stated they anticipate doing \$177 million in business the first year, providing a nice tax base for the City; and stated that while they do not plan to use Buildings D and E at this time, they would like to obtain administrative approval if in the future their plans change to occupy those two vacant buildings.

Mike Maynard, Regional Vice-President in this area for Sonic, stated that Sonic will take in used cars for trade, but advised that those cars are sold elsewhere, not at this lot. He noted his expectation to be up and running within a couple of months following approval.

Don Kott stated that Sonic's initial investment will be \$25-\$30 million and that he believes it to be a first-class operation.

Dr. Rita Boggs, resident, urged the Planning Commission to approve the request, noting this is a Fortune 300 company that will provide a valuable tax base to benefit the City.

Julie Ruiz-Raber, resident, stated this business will be a great asset to the City.

Jonathan Boone, resident, urged the City's approval of this request, stating he wants to see this site thriving once again.

There being no further input, Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Vice-Chair Hudson, to approve the request, adding the condition, "The used automotive sales would be a primary use of properties having two acres of size or greater in the CA Zone"; and moved to adopt Resolution No. 08-2192. Motion carried (Commissioner Cannon voted no).

11. PUBLIC HEARING

D) Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, Conditional Use Permit No. 686-07

Applicant's Request:

The applicant, Thomas Safran & Associates, is requesting approval to construct a 236-unit residential, mixed-use project with restaurant and retail uses on seven parcels totaling 4.29 acres. The subject area is zoned MU-CS (Mixed-Use – Carson Street) and is located within Redevelopment Project Area No. 4. The addresses involved are 708-724 East Carson Street and 21720-21814 South Avalon Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to ADOPT the Mitigated Negative Declaration; APPROVE Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07, subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07 for the construction of a 236-unit residential mixed-use development for property located at 708-724 East Carson Street and 21720-21814 South Avalon Boulevard." He amended the conditions by deleting Condition No. 73, renumbering accordingly, and adding language to Condition No. 61 to include Torrance Transit.

Vice-Chair Hudson asked staff to keep Torrance Transit informed of what is taking place with this project.

Commissioner Cannon suggested the crosswalks at this intersection be synchronized for pedestrian travel, if possible.

Andrew Gross, Vice-President of Development with Thomas Safran & Associates, commented on the plans for providing a high quality project; and he highlighted the pleasing architectural design, project amenities, and the affordability component of this project. He stated that the City is helping to relocate the current retail tenants, noting that a couple may return once the project is complete; and he addressed their public outreach efforts.

Commissioner Cannon asked that once construction activities commence, a sign be posted on site to advertise what is taking place at this site.

Dan Withey, project architect, highlighted the design of this building and its many amenities, including some underground parking.

Dr. Rita Boggs, resident, asked if any soil remediation activities have taken place on this site. She noted her pleasure in seeing an affordable housing component; and with regard to the affordable housing stock, she asked that preference be given to qualifying senior citizens who are facing mobile home park conversions.

Tom Alexander, representing Carson Christian School, asked if any shared parking arrangements will be made for the school, noting they had an agreement with the prior property owner to park on their lot. He also asked that construction activities not negatively impact the students at the adjoining school.

Rita Martinez, Avalon Courtyard resident, stated she is very pleased with her home at Avalon Courtyard, expressing her belief this is a good developer.

Ida Crosby, Avalon Courtyard resident, stated she is very pleased with her home at Avalon Courtyard and highlighted the fun activities that take place each day.

John Goolsby, resident, stated he is pleased to see this type of project in Carson.

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

Senior Planner Signo noted that soil remediation for this site has been referred to the Regional Water Quality Control Board.

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Graber, to approve the request with the following modifications: amend Condition No. 61, "...Department of Transportation, **and Torrance Transit**, to provide..."; delete Condition No. 73 and renumber accordingly; add a sentence to Condition No. 40, "A temporary sign shall also be erected before and during construction which describes the project and displays building elevations"; and moved to adopt Resolution No. 08-2193. Motion carried.

11. PUBLIC HEARING

E) Ordinance Amendment to the Carson Municipal Code Relating to Structure Height within the MU-CS Zone

Applicant's Request:

The applicant, city of Carson, Development Services, is requesting to recommend to City Council the approval of proposed Ordinance Amendment to the Carson Municipal Code relating to structure height within the MU-CS zone. The properties involved are all properties zoned MU-CS (Mixed-Use - Carson Street).

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. ____, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Ordinance No. 08-____ to the City Council." He noted the following revisions to the Ordinance: Section 9138.17(D)(6) of the Carson Municipal Code, Subsection (b), add "as defined in Subsection (e) below."

Chairman Faletogo opened the public hearing. There being no input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chair Hudson moved, seconded by Commissioner Graber, to approve the request; moved to amend the first page of the Ordinance, end of Subsection (b) "...have an exceptional design **as defined in Subsection (e) below**"; and moved to adopt Resolution No. 08-2194. Motion carried.

12. NEW BUSINESS DISCUSSION

- Reducing the number of Planning Commissioners to serve on this Commission

Highlighting City Council's current plans to address the makeup of the City's Commission's, Commissioner Cannon stated he'd like to rescind the Planning Commission's recommendation to City Council to reduce the number of Planning Commissioners that serve on this body.

MOTION: Commissioner Cannon moved, seconded by Commissioner Verrett, to rescind the Planning Commission's recommendation to City Council to reduce the membership number for the Planning Commission. Motion carried.

13. WRITTEN COMMUNICATIONS None.

14. MANAGER'S REPORT

Planning Manager Repp highlighted the Housing Status Report for Carson, noting it also includes various technical reports detailing housing market conditions; and stated that a copy was provided to each Commissioner. She noted that a community meeting

will take place on March 13th at the Community Center to address the Avalon at South Bay project.

15. COMMISSIONERS' REPORTS

On behalf of the Commission, Chairman Faletogo expressed sympathy in the passing of Commissioner Graber's father.

Commissioner Graber thanked everyone for their condolences.

16. ADJOURNMENT

At 11:15 P.M., the meeting was formally adjourned to Tuesday, March 11, 2008.

Chairperson

Attest By:

Secretary