



MONDAY, AUGUST 1, 2022
701 East Carson Street, Carson, CA 90745
6:30 p.m., Via Zoom

AGENDA

SPECIAL MEETING OF THE PLANNING COMMISSION

Members: Vice Chair: Chris Palmer Louie Diaz Frederick Docdocil
Carlos Guerra Del Huff Jaime Monteclaro
Dianne Thomas Karimu Rashad Richard Hernandez
Alternates: (VACANT) DeQuita Mfume Leticia Wilson
Staff: Planning Manager: Betancourt
Planning Secretary: (VACANT)
Assistant City Attorney: Jones

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

1. CALL TO ORDER

Vice Chair Palmer called the meeting to order at 6:34 p.m.

2. ROLL CALL

Commissioners Present: Palmer, Diaz, Docdocil, Guerra, Huff, Thomas, Rashad, Hernandez
Absent: Monteclaro (EA)
Alternate: Mfume (EA), Wilson (Present)
Planning Staff: Betancourt, Jones, Raymond, Saied, Rubio

3. ORAL COMMUNICATION FOR MATTERS NOT ON THE AGENDA

None.

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once. *(see below)

DUE TO CORONA VIRUS COVID-19, NO MEMBERS OF THE PUBLIC WILL BE ALLOWED INTO CITY HALL DURING THE PLANNING COMMISSION MEETING. THE MEETING WILL BE CONDUCTED VIA REMOTE TELECONFERENCING USING THE ELECTRONIC “ZOOM” APPLICATION. TO FACILITATE PUBLIC PARTICIPATION, HOWEVER, THIS MEETING WILL BE AVAILABLE ONLINE VIA ZOOM ON THE FOLLOWING LINK:

Join Zoom Meeting:

Meeting ID: 810 3159 6117

Passcode: 293866

ITEM NO. 5B

Dial by your location: +1 669 900 6833 US

Any members of the public wishing to provide public comment for the items on the agenda may do so as follows:

1. Live via Zoom Application. Members of the public wishing to provide public comment in real-time will be invited to join the Zoom meeting remotely to provide their public comment live with their audio/video presented to the Planning Commission. Members of the public wishing to do so must email planning@carsonca.gov, providing their real name and the phone number they will use to call in from. For further details/requirements and meeting invite information, please email planning@carsonca.gov.
2. Email: You can email comments to planning@carsonca.gov. Please identify the agenda item you wish to address in your comments. Your comments will be read into the record.
3. Telephone: You can record your comments at (310) 952-1761 before the meeting. Please identify the Agenda item you wish to address in your comments. Your comments will be read into the record.
4. Box outside of City Hall: You can provide hand-written comments by dropping off a note at the box located in front of City Hall (701 East Carson Street) on the date of the meeting. Please identify the Agenda item you wish to address in your comments. Your comments will be read into the record.

NOTE: Members of the public wishing to observe the meeting live without providing public comment will be able to do so by watching it on the City's PEG television channel (Channel 35 on Charter or Channel 99 on AT&T for Carson residents) or via live streaming on the City's website, <http://ci.carson.ca.us/>.

4. SPECIAL PUBLIC HEARING

A) First Amendment to Development Agreement (DA) 13-2017 (13-17) between CAM Carson, LLC and City of Carson for a portion of the 157-acre site generally located at 20400 Main Street.

Applicant: CAM-Carson A LLC
c/o Simon Property Group, Inc.
399 Park Avenue, 29th Floor
New York, NY 10022

Property Owner: Carson Reclamation Authority
701 E. Carson Street
Carson, CA 90745

Staff Report:

Alvie handed it over to Assistant City Manager John Raymond. Item before you is the recommendation to approve the First Amendment to Development Agreement (DA) 13-2017, between the City of Carson and CAM-Carson, LLC. CAM-Carson was originally the Macerich and Simon property group, the developers of the outlet mall on the 157-acre project right on the 405 freeway. This amendment to Development

agreement is one of 3 agreements we call the project agreements: one is the Conveyancing agreement between the Carson Reclamation Authority which is the owner of the property and CAM-Carson LLC, it's effectively the purchase sale agreement in the business world, the Cooperation agreement between the City of Carson and the Carson Reclamation Authority that handles all the infrastructure and tax sharing obligations that flow back to the developer and the third agreement is the Development Agreement between the City of Carson and the developer and serves as the entitlement document that creates all the obligations on part of the City not the CRA (the reclamation authority) but the City and the developer to one another and all these were originally approved back in 2018. Grading started after the agreements were approved in late 2018. Grading started at Fall and the remediation work and the installation of structural piles on the site commence at end of 2018 and went into 2019 and early 2020. We ended up in a dispute which ended up in litigation over the funding obligations and the completion of the CRA's work on the remedial systems and litigation was filed in middle 2020 and we've been in litigation with them ever since. Last year around this time we went to mediation with the developers and the CRA and we talked about the type of project that they would do to come back. We thought at the time they weren't interested in building any malls but in the early part of this year in late March or April they returned and met with City Attorney's office and Authority Council's office to propose a deal that they will come back and build the exact same project, to complete the same project that we had started and finish the mall. The big difference in all the agreements, under the original agreements the Conveyancing mainly that the CRA the authority was responsible for the construction of all the remedial systems on the site and installation of piles and creation of the slabs, everything up to basically the developer been able to come on to finish slab and just build the vertical. On this deal they are proposing that they would finish the completion of the remedial systems there's still landfill liner, there's still some completion of the landfill gas system on Cell 2 that needs to occur, the remaining of the liner needs to go in and of course the building protection system that goes above the liner in between the liner and the slab and they will do all that work. In return the Authority will fund a portion of that through proceeds it will receive from closing on acquisition of the property by Carson Goose Center a developer for Cell 3, 4 and 5. We are scheduled to \$32.5 million dollars from Carson Goose Center and we will commit the entire \$32.5 million dollars for the completion of the project. It sounds like a lot of money; it was the amount anticipated and amount offered by the CRA as part of the settlement negotiations over the last year that this money would be available for this project if they were to come back. It's written into the agreement with Carson Goose Center that money will go toward that project. The developer is still, we are still holding onto the obligation of the developer to contribute \$10 million dollars towards site development, infrastructure costs and mainly the construction of Leonardo and Stamps, the streets on the site, they are still committed to do that. For Planning Commission perspective, you heard the report there's a whole CEQA analysis, there's no change to the project, this project was analyzed originally in the 2018 SEIR and the mitigation monitoring is part of the project and it was analyzed again as the same project in the 2022 SEIR that Faring brings you forward. Given that

there's no changes, I think the CEQA is covered on this. We are asking for the Commission to consider this make the recommendation one note we want to make is that in the ordinance that's an exhibit to your resolution it had general plan conformance tables. We are requesting that we strike those tables out. Danny Aleshire from the City Attorney's office can weigh-in on that. We'll remove those from the ordinance before we bring it to council tomorrow. There's also a reference to Exhibit A and Exhibit A to the ordinance is actually the Development Agreement itself. I'll be happy to answer any questions or if the City Attorney wants to add anything or clarify anything that I say.

Vice Chair Palmer wanted to make sure for the record that I did state that the Public Hearing was open and ask at this time if any fellow commissioners had any question, looking for hands been raised. Not seen any is there anyone from the public that would like to speak for this matter? Planning Manager Betancourt responded that no requests were made to join the meeting and had no written comments.

Vice Chair Palmer closed public hearing and asked commissioners for comments. Commissioner Huff did you have a question? I think we are losing you. Does anyone like to entertain a recommendation?

Commissioner Diane Thomas would like to recommend through a motion that we accept staff's recommendation and advise the City Council to well the City Planning Commission to approve and send a recommendation to the City Council for the first amendment to the Development Agreement that was previously enter into by the City and Developer for a portion of the 157-acre site generally located at 20400 Main St. Now, do I need to say anything else about that? (Vice Chair Palmer) just that we are striking the 2 tables. We are striking the table yes. Commissioner Thomas first motion, 2nd from Commissioner Diaz.

Vice Chair called for the vote.

City Attorney Danny Aleshire City, if I can get you to read the title of the resolution, wave further readying and adopt the resolution. I'll just say one other thing, the tables that JR mentioned were to strike the attachment B to the ordinance that is proposed to the attachment to the resolution and for attachment A include the First amendment to the DA.

Commissioner Thomas, wave further discussion and have the Planning Commission to approve the resolution of the Planning Commission of the City of Carson recommending City Council Adoption of Ordinance No. ___ to Approve a First Amendment to Development Agreement No. 13-17 between the City of Carson and CAM-Carson, LLC and to add to ordinance Attachment A and to Strike attachment B. Commissioner Diaz 2nd motion.

Yes votes from: Vice Chair Palmer, Commissioner Diaz, Commissioner Docdocil, Commissioner Guerra, Commissioner Thomas, Commissioner Rashad, Commissioner Hernandez and Commissioner Wilson. (Commissioner Huff not present at the time of the vote), Motion passes. Vote 8-0

4. PLANNING MANAGERS REPORT

Planning Manager Betancourt had two items to report on. First is on Wednesday the 3rd from 5:00 to 8:00 p.m. at the Carson Sheriff's Station Community Night Out, March against Crime Violence, you can find at homepage of our website. Sponsored by the Carson Sheriff's Station and Community Advisory Committee. City's annual community night out that's Wednesday, August 3rd. Our last meeting Vice Chair Palmer asked about City of Carson's Anniversary Celebration. There's also a calendar pdf page on our homepage with calendar dates for various celebrations. Vice Chair Palmer, I will back to you on how and when Commissioners will be invited to those events.

Community Development Director Naaseh had nothing to report.

Assistant City Manager Raymond had no report.

5. COMMISSIONERS' ORAL COMMUNICATIONS

Commissioner Diaz had no report.

Commissioner Guerra, good evening, everyone. I'm just happy that this finally reach to fruition. As a Carson resident of over 50 plus years, I'm extremely excited and hope there's no further issues.

Commissioner Thomas. Just two things. I'm don't know JR if this is something that needs to happen because I'm part of the CRA as well as the Planning commission, I get the impression that we will be seeing more agenda items such as this as it relates to the 157-acre project. I think the Planning Commission should be aware because each time we receive these amendments and whatever we going to be seeing additional documents that will be coming forward it is continuing to move the project forward, if you want to say something to that nature, I just thought to bring that up. Before I relinquish the floor our Commissioner Del Huff that she's not here lost her half-brother, he died yesterday or today. His name is Fulton Ray Nelson I think it would be appropriate and I'm sure she would appreciate us honoring him if we adjourn the meeting in his honor.

Assistant City Manager JR – Commissioner Thomas is correct that CRA is likely to see a number of amendments or new agreements or things coming forward as a result to both the Carson Goose Center project and the Cell 2 project outlet mall. In addition, we have cell 1, we are working toward negotiating an agreement on cell 1 with a cell 1 developer. In terms with what the Planning Commission this project is the same project that it was proposed and approved in 2018, we are hoping that the developer does not have lots of design changes that will have to come back to planning. It's basically the same project. You'll see whatever comes on cell 1 because they'll be a Development Agreement also, probably not a Specific Plan amendment but definitely a Development Agreement. It'll going to be great to see all this to come together and that project finally after if it's entire history to get developed.

Commissioner Rashad. Nothing.

Commissioner Docdocil. I'm excited that collectively we were so efficient tonight. In addition to Planning Manager's report about community's night out. There's a couple of city events on

Friday, August 12, Youth night out at Dolphin Park free for ages 10-16. Relay for life 5K Tiki Tiki 2022 on Saturday, August 13 at Carson Park. Lastly, I had a conversation with a couple of my neighbors, I live in South Carson pretty much border to Wilmington. Question that I have, that traffic light Main and Lomita gets backed up particularly to turn left to Lomita going southbound and I know that it's at the border of the city. It's that something we can consider a left turn arrow at that light is it within city's purview is that City of LA or is that Wilmington? Planning Manager Betancourt asked, you are talking about Main and Lomita. Southbound to Lomita. I will bring it to Public Works Director and I will get back to you.

Commissioner Hernandez, I was happy to attend the Chambers Award's meeting and I got to meet some of the Planning Commissioners in person and hope to meeting them again someday. Item number 2 corner of Orrick & Carson St. we approved that empty lot for Rascals and it looks like it needs a haircut, there's a lot of weeds growing there and it's unsightly.

Commissioner Wilson had nothing to report.

Vice Chair Palmer had nothing to report but would like to adjourn the meeting in the name of Fulton Ray Nelson.

Commissioner Huff wanted to apologize, I had a bad connection during whole meeting my video kept freezing and I was going in and out but I had nothing to report. Sorry I was in and out of the meeting.

Commissioner Thomas one last thing. I was thankful with Alvie Betancourt stating that we can go on the website and Commissioner Docdocil said we have a lot of events that are coming up and for all of our young people who will be going back to school CCA along with sponsor a backpack giveaway and the backpacks will be loaded with lots of school supplies. I want to tell you the day but I will tell you to go to the website. It's going to be at Carson Southbay Pavilion were we normally have the farmer's market. It's on Saturday, August 13. Commissioner Docdocil confirmed.

7. ADJOURNMENT

Palmer adjourned meeting in honor of Fulton Ray Nelson at 7:00 p.m.

For further information: 310-952-1761

Agendas and Reports: http://ci.carson.ca.us/communitydevelopment/planning_agenda.aspx

This Planning Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the Commission agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person.