

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 02-1922

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMENDING TO THE CITY COUNCIL APPROVAL OF DESIGN OVERLAY REVIEW NO. 02-08-796 FOR THE CONSTRUCTION AT 301-451 ALBERTONI STREET OF AN ELECTRONIC MESSAGE CENTER SIGN ASSOCIATED WITH THE NATIONAL TRAINING CENTER TO BE LOCATED AT THE CAMPUS OF CALIFORNIA STATE UNIVERSITY, DOMINGUEZ HILLS

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, Carson Redevelopment Agency, with respect to real property located at 301-451 Albertoni and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review (DOR) No. 02-08-796 for construction in the Electronic Marquee Signage Overlay District of the CG-D Zone (Commercial, General – Design Overlay Review.)

A public hearing was duly held on October 22, 2002, 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 meeting was duly given.

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

Section 3. Pursuant to Section 9172.23(D) of the Carson Municipal Code (CMC), the Planning Commission finds that:

a) The proposed project adheres to the goals and policies described in the Land Use Element of the General Plan. According to this document, "commercial activities should be screened or buffered from adjacent residential uses wherever possible." The proposed project achieves this goal because it provides landscaping and the signs are compatible with the EMS Overlay District zoning.

b) The proposed project involves the construction of a sign to extend 115 feet above the ground level. The sign is to have a height of 83 feet above the freeway grade. The sign has a contemporary style design appearance involving a stark industrial looking metal pole structure and wire mesh frame. The height and design of the proposed signs are consistent with the Conceptual Drawings and Schematic Designs approved in the DDA executed by the Carson Redevelopment Agency, the City of Carson and Anschutz Southern California Sports Complex, LLC. The City therefore is required by the Cooperation Agreement executed with the Agency to approve the proposal as is.

c) The proposed project will not affect or impact the safe circulation of either pedestrian or vehicular traffic as the facility is essentially unmanned.

d) The height and design of the proposed sign is consistent with the Conceptual Drawings and Schematic Designs approved in the DDA. The City therefore is contractually obligated to approve the proposal as is.

e) No design standards or guidelines adopted pursuant to Section 9172.15 are applicable to the subject property. However, as explained above, the DDA approves Conceptual Drawings and Schematic Designs for the sign and allows the sign to have a height of approximately 105 feet above freeway grade. The City therefore is contractually obligated to approve the proposal as is.

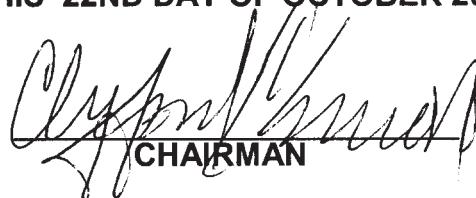
Section 5. This project has been reviewed pursuant to the National Training Center Environmental Impact Report (NTC EIR), State Clearing House No. 2000101041 which was certified on June 4, 2001 by the Board of Trustees of the California State University and College System and an Addendum to the NTC EIR by the California State University and College System. A determination has been made that no further environmental review is required for consideration of the proposed National Training Center signs to satisfy the requirements of the California Environmental Quality Act ("CEQA"). The City, as a responsible agency under CEQA, finds that there are not any feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. The City finds that the economic and social benefits of the National Training Center project outweigh any unavoidable adverse environmental effects of the proposed signs.

Section 6. Based on the aforementioned findings, the Planning Commission hereby recommends to the City Council approval of DOR No. 02-08-796 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 8. 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 22ND DAY OF OCTOBER 2002.



Chairman

ATTEST:



SECRETARY

Legal Description of Carson 91.Property

LEGAL DESCRIPTION OF THE CENTER

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT A OF TRACT 3461, IN THE CITY OF CARSON; AS SHOWN ON MAP RECORDED IN BOOK 38 PAGE 87 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ACQUIRED BY THE STATE OF CALIFORNIA BY PARCEL 1 (A4541) OF DEED (STATE PARCEL A4541) RECORDED MARCH 28, 1972 IN BOOK D5406 PAGE 282 OF OFFICIAL RECORDS IN SAID OFFICE AND THAT PORTION OF THE 504.19 ACRE TRACT IN RANCHO SAN PEDRO ALLOTTED TO J.G. DOWNEY BY THE DECREE OF PARTITION OF A PORTION OF SAID RANCHO IN CASE NO. 939 OF THE SUPERIOR COURT IN SAID COUNTY, IN THE CITY OF CARSON, INCLUDED WITHIN PARCEL 2 AS SHOWN ON MAP FILED IN BOOK 82 PAGES 31 AND 32 OF RECORD OF SURVEYS, IN SAID OFFICE, ACQUIRED BY THE STATE OF CALIFORNIA BY PARCEL 2 (45337-A) OF DEED (STATE PARCEL 45337) RECORDED DECEMBER 29, 1967 IN BOOK D3872 PAGE 421 OF SAID OFFICIAL RECORDS, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT A POINT IN THE GENERAL NORTHERLY LINE OF PARCEL 1 OF STATE HIGHWAY RELINQUISHMENT NO. 991, RECORDED MAY 8, 1980 AS INSTRUMENT NO. 80-466862 AND AS SHOWN ON MAP RECORDED IN BOOK 14 PAGES 84 AND 85 OF STATE HIGHWAY MAPS IN SAID OFFICE, DISTANT ALONG SAID GENERAL NORTHERLY LINE SOUTH $87^{\circ} 01' 14''$ WEST, 467.46 FEET FROM THE EASTERLY TERMINUS OF THAT COURSE SHOWN AS NORTH $87^{\circ} 01' 14''$ EAST, 775.55 FEET IN SAID GENERAL NORTHERLY LINE, THENCE NORTH $00^{\circ} 42' 56''$ EAST, 93.93 FEET; THENCE NORTH $38^{\circ} 59' 02''$ EAST, 39.23 FEET; THENCE NORTH $53^{\circ} 20' 44''$ EAST 38.36 FEET; THENCE NORTH $68^{\circ} 11' 51''$ EAST, 59.01 FEET; THENCE SOUTH $87^{\circ} 36' 47''$ EAST, 206.87 FEET; THENCE NORTH $87^{\circ} 05' 54''$ EAST 145.92 FEET; THENCE NORTH $79^{\circ} 33' 50''$ EAST 213.67 FEET; THENCE NORTH $75^{\circ} 09' 07''$ EAST, 232.01 FEET; THENCE NORTH $80^{\circ} 09' 40''$ EAST, 277.04 FEET TO A POINT IN THAT COURSE DESCRIBED AS SOUTH $40^{\circ} 39' 52''$ WEST, 145.51 FEET IN THE GENERAL EASTERLY LINE OF SAID PARCEL 2 (45337-A), DISTANT LONG SAID COURSE NORTH $40^{\circ} 39' 52''$ EAST 67.69 FEET FROM THE SOUTHWESTERLY TERMINUS OF SAID COURSE, SAID POINT ALSO BEING THE MOST WESTERLY CORNER OF THE LAND ACQUIRED BY THE STATE OF CALIFORNIA BY PARCEL 62406-1 (AMENDED) OF FINAL ORDER OF CONDEMNATION, FILED IN SUPERIOR COURT CASE NO. C52401, IN AND FOR SAID COUNTY, A CERTIFIED COPY OF SAID FINAL ORDER BEING RECORDED AUGUST 20, 1975 IN BOOK D6768 PAGE 964, OFFICIAL RECORDS; THENCE ALONG SAID COURSE SOUTH $40^{\circ} 39' 52''$ WEST, 67.69 FEET TO SAID SOUTHWESTERLY TERMINUS; THENCE ALONG SAID GENERAL EASTERLY LINE THE FOLLOWING TWO COURSES; SOUTH $06^{\circ} 17' 41''$ EAST 136.24 FEET AND SOUTH $77^{\circ} 14' 55''$ EAST, 49.54 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 2 (45337-A), SAID SOUTHEASTERLY CORNER BEING A POINT IN THE SOUTHERLY LINE OF ABOVE MENTIONED PARCEL 2, AS SHOWN ON MAP FILED IN BOOK 82 PAGES 31 AND 32 OF SAID RECORD OF SURVEYS; THENCE ALONG LAST MENTIONED SOUTHERLY LINE NORTH $87^{\circ} 58' 54''$ EAST, 95.31 FEET TO SAID GENERAL NORTHERLY LINE OF PARCEL 1 OF SAID STATE HIGHWAY RELINQUISHMENT NO. 991; THENCE ALONG SAID GENERAL NORTHERLY LINE THE FOLLOWING THREE

COURSES; SOUTH 82° 43' 03" WEST, 566.10 FEET, WESTERLY ALONG A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 3,440.00 FEET, THROUGH AN ANGLE OF 04° 18' 11", AN ARC DISTANCE OF 258.35 FEET AND SOUTH 87° 01' 14" WEST, 467.46 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS, OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LAND, AS RESERVED IN DEED RECORDED MARCH 28, 1972 AS INSTRUMENT NO. 547 AND ALSO RESERVED IN DEED RECORDED OCTOBER 9, 1973 AS INSTRUMENT NO. 365

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 02-08-796

GENERAL CONDITIONS

1. If Design Overlay Review No. 02-08-795 is not used within one year of its effective date, the permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The NTC shall comply with all city, county, state and federal regulations applicable to this project.
3. The NTC shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. The NTC shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission and City Council Resolutions.
5. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, the permit(s) shall lapse, provided the NTC has been given written notice to cease such violation and has failed to do so for a period of thirty days.
6. The NTC shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
7. The 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. All regulations and guidelines in accordance with any required Caltrans approval shall be strictly enforced.

10. Any future alteration or upgrades of the sign or property shall require prior approval from the City.
11. The sign structure, ground equipment, and landscape shall be maintained in good condition at all times.
12. Landscaping shall be provided at the perimeter of the site except where vehicle access is provided.
13. Final landscape and irrigations plan shall be approved by the Planning Division and be submitted in accordance with Planning Division requirements.
14. The sign shall be subject to mitigation measures and associated analysis as required by the NTC Final Environmental Impact Report (State Clearing House No. 2000101041) and Addendum.
15. The maximum height of the sign from ground level shall be 115 feet.
16. The Planning Division shall monitor the subject facility to assure adequacy of maintenance and condition of the sign and property improvements. A revocation of this authorization shall be requested by the Planning Division if the facility is found to be in poor condition or repair. The NTC shall be provided with a minimum 30-day notice detailing the concerns or areas requiring correction prior to the Planning Commission conducting a hearing on said revocation.
17. All conditions herein shall be the responsibility of the NTC or any future assignee or transferee of the interests in the property and improvements or the property owner as appropriate under the law.

UTILITIES

18. 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.

PUBLIC WORKS REQUIREMENTS

19. NTC shall abide by the following conditions:
 - a. A construction permit is required for any work to be done in the public right-of-way.
 - b. The developer shall remove and replace existing broken curb and gutter per City of Carson Standard as directed by the City Engineer.
 - c. The NTC shall submit plans, prepared by a Civil Engineer registered to practice in the State of California, to the Engineering Services Division showing all the required improvements in the public right-of-way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.

- d. All infrastructures necessary to serve the proposed development shall be in operation prior to the issuance of the Certificate of Occupancy.
- e. Prior to issuance of Building Permit, the following must be on file:
 - 1. Construction bond as required for all work to be done within the public right-of-way.
 - 2. Proof of Worker's Compensation and Liability Insurance.
- f. Any public improvement damaged during the construction shall be removed and reconstructed per City standard plan and to the satisfaction of the City Engineer.

AESTHETICS

- 20. The specification of all colors and materials must be non-reflective and submitted and approved by the Planning Division prior to the issuance of any building permits.
- 21. Graffiti and litter shall be removed from all project areas within three days of written notification by the City of Carson. Should the graffiti or litter 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.).

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

- 22. 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.