

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 22-2824

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON MAKING FINDINGS RELATED
TO THE PROPOSED SALE OF REAL PROPERTY OWNED
BY THE CITY OF CARSON LOCATED ON E. 223RD ST. IN
THE CITY OF CARSON, IDENTIFIED AS ASSESSOR'S
PARCEL NUMBERS 7315-012-900 AND 7315-012-804**

WHEREAS, the City of Carson owns that certain real property located on E. 223rd St. in the City of Carson identified as Los Angeles County Assessor's Parcel Numbers 7315-012-900 and 7315-012-804 (collectively, the "Property"). The Property is composed of two vacant parcels totaling 4.16 acres, or a net 3.15 acres (137,285 sq. ft.) after easements; that is, the Property is subject to various rail, slope, and billboard easements, including a temporary easement exclusive and lease to CalTrans which covers a significant portion of the Property). The Property is located south of Interstate 405 (I-405), west of the Alameda Corridor (rail corridor), and north of East 223rd Street. The Property is currently vacant and is being used WIN Chevrolet, Inc. ("WIN") to store vehicles pursuant to a license agreement with the City; and

WHEREAS, the City seeks to sell the Property. Pursuant to the Surplus Land Act ("SLA"), the City declared the Property to be non-exempt surplus land and not necessary for the City's use via Resolution No 21-010 adopted on February 16, 2021. After written findings were submitted to the State of California Housing Community Development Department ("HCD") pursuant to the SLA, on September 8, 2021, HCD issued the City a letter setting forth HCD's determination that the City has met all the requirements under the SLA for the purposes of disposing of the Property, and that the City is permitted to proceed with the sale of the Property.

WHEREAS, the City subsequently solicited the Property to private parties. The City has tentatively selected an offer submitted by WIN for purposes of proceeding to approve a sale of the Property to WIN or one of its affiliated entities for the purchase price of \$8,000,000; and

WHEREAS, Section 319(D) of the City's Charter provides that "[n]o real property of City shall be sold, transferred or conveyed without a finding by the Planning Commission and City Council as to the consistency of the sale with the general plan. Moreover, real property valued at more than two million five hundred thousand dollars (\$2,500,000), may not be sold, transferred or conveyed except when approved by ordinance or resolution passed by a two-thirds affirmative vote of the city council;" and

WHEREAS, California Government Code Section 37350 provides that a city may dispose of real property for the common benefit; and

WHEREAS, California Government Code Section 37351 provides that the legislative body of a city may purchase, lease, exchange, or receive such real estate situated inside or outside the city limits as is necessary or proper for municipal purposes, and that it may control, dispose of, and convey such property for the benefit of the city; and

WHEREAS, in order to proceed with the proposed sale of the Property, the Planning Commission must first make the findings required by Charter Section 319(D). Additionally, the Planning Commission sees fit to make findings pertaining to CEQA and to the common benefit and the benefit of the City to be served by the proposed sale in order to aid the City Council in its decision-making process and ensure compliance with Gov't Code Sections 37350-37351 in connection with the proposed sale.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and the same are incorporated herein by reference as findings of fact.

SECTION 2. The Planning Commission further finds as follows:

- a) The proposed sale is consistent with the General Plan of the City of Carson. The subject property has a General Plan Land Use designation of Regional Commercial. The purchase and sale agreement for the proposed sale is not anticipated to dictate a specific or particular use of the Property by the buyer following the sale; the Agreement may provide for the buyer to (without limitation) pave, landscape, fence, and/or light the Property, but the buyer's ability to make significant improvements to the Property will likely be limited for at least for a period of time due primarily to the presence of the CalTrans easement/lease. Although the proposed buyer's contemplated future use is not known to the City with any certainty, the proposed buyer currently licenses use of the Property from the City for the purpose of storing vehicles from its nearby dealership, a use which is consistent with the current General Plan land use designation for the Property. Based on the current use and the fact that the proposed buyer is a car dealership business, it is reasonable to expect that the proposed buyer will continue to use the Property for the same or related purposes or activities after the sale. Any use of the Property by the proposed buyer or any other transferee following the sale will be subject to consistency with the General Plan and compliance with the City's Zoning Ordinance and Municipal Code, like all land uses in the City. The proposed sale will not create any conflict or inconsistency with any provision of the General Plan, and instead will help further the General Plan goals of (without limitation) maintaining and increasing net fiscal gains to the City and (as a result) strengthening existing City services and support systems, in addition to potentially helping fund new City services and promoting or facilitating future economic development of the Property and the area in which it is located.
- b) The proposed sale will serve the common benefit and the benefit of the City. The Property is not necessary for the City's use, as declared by Resolution No 21-010, is not being used by the City or for a public use and has been approved for disposition by HCD based on the City having met all requirements of the SLA with respect to same. The proposed sale of the Property will benefit the City and the public in that it will generate significant and much needed revenue to the City's general fund that can in turn be used to fund City services, programs and activities that are provided for the benefit of the City's residents, and the proposed sale may also potentially have the effect of promoting or helping facilitate greater economic development of the Property and the surrounding area in the future.

SECTION 3. The Planning Commission further finds that neither the proposed sale nor the City's consideration of approval thereof, including with respect to making the required findings referenced herein, constitutes a "project" within the meaning of the California Environmental Quality Act (CEQA), and therefore CEQA does not apply to same. 14 CCR §§15060(c), 15378. Additionally, even if it is a "project," this activity is categorically exempt from CEQA under Class 12 per CEQA Guidelines Section 15312. This categorical exemption applies to sales of surplus government property except for parcels of land located in an area of statewide regional or area-wide concern. The Property is not located in such an area. Accordingly, the activity is not subject to CEQA.

SECTION 4. This resolution of the Planning Commission shall be effective immediately.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of same to the City Clerk for the City Council's review in connection with its consideration of approval of the proposed sale of the Property.

PASSED, APPROVED and ADOPTED this 22nd day of February, 2022.

Chair Charles Thomas (Covid Signature)

CHAIRPERSON

ATTEST:

Lucille Sandoval
SECRETARY