Legislation Details (With Text)

File #:	2020-739	**Version:**	1	**Name:**	
Type:	Consent			**Status:**	Agenda Ready
File created:	10/15/2020			**In control:**	City Council
On agenda:	10/20/2020			**Final action:**	
Title:	CONSIDER RESOLUTION NO. 20-162, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON REGARDING ADMINISTRATIVE APPROVAL AUTHORITY FOR THE REFURBISHMENT OF TWO ELECTRONIC MARQUEE SIGNS LOCATED AT 21710 RECREATION ROAD AND 431 E ALBERTONI STREET FOR DIGNITY HEALTH SPORTS PARK (CITY COUNCIL)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Exhibit 1- Dignity Health CC Resolution & Legal description, 2. Exhibit 2- Disposition and Development Agreement_2002, 3. Exhibit 3 - Reso 02-1921, 4. Exhibit 4- Reso 02-1922.DENISE, 5. Exhibit 5 -Development Plans, 6. Exhibit 6 - Cooperation Agreement (2002), 7. Exhibit 7 - Existing and Proposed Signs				

Date	Ver.	Action By	Action	Result
10/20/2020	1	City Council		

Report to Mayor and City Council

Tuesday, October 20, 2020

Consent

SUBJECT:

CONSIDER RESOLUTION NO. 20-162, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON REGARDING ADMINISTRATIVE APPROVAL AUTHORITY FOR THE REFURBISHMENT OF TWO ELECTRONIC MARQUEE SIGNS LOCATED AT 21710 RECREATION ROAD AND 431 E ALBERTONI STREET FOR DIGNITY HEALTH SPORTS PARK (CITY COUNCIL)

I. SUMMARY

Dignity Health Sports Park attracts over 1,000,000 ticketed guests annually to its facility in Carson, providing a significant economic benefit to the City. Their existing marquee signs are considered iconic as they enjoy great visibility from I-405 and I-110. However, they are dated and need to be upgraded with modern technology to provide a more contemporary appearance and even better visibility. The size of the refurbished signs will be in substantial conformance with the existing signs. Both the existing signs and the proposed signs include "City of Carson". The City utilizes these signs for public announcements such as information about the 2020 Census and COVID-19 testing. During the discussions

between the applicant, Dignity Health Sports Park, and staff regarding the proposed signage, the applicant offered to also refurbish the Civic Center electronic message board located outside the Community Center facing Carson Street as a community benefit.

The applicant has requested confirmation of City Manager's authority to approve the proposed refurbishment of two existing electronic marquee signs rather than the process outlined in Carson Municipal Code Section 9138.71 (Planning Commission recommendation to City Council), which appears to only apply to the original sign approval.

On January 29, 2002, the City, the former Carson Redevelopment Agency (“RDA”), and AEG entered into a Disposition and Development Agreement ("DDA") and the City and RDA entered into a Cooperation Agreement. On February 19, 2002, pursuant to the Cooperation Agreement, the City adopted Ordinance No. 02-1245, enacting Carson Municipal Code (CMC) Section 9138.71 (Outdoor Advertising Signs in an Electronic Marquee Signage (EMS) Overlay District), which allowed for the establishment of the two existing marquee signs within the EMS overlay district.

Pursuant to Section 1.3 of the DDA, these signs provide off-site advertising for the sponsors of the facility and its events. However, they are not considered digital billboards as defined in CMC Section 9146.7, “outdoor advertising signs.” After reviewing the DDA, the Cooperation Agreement, the CMC, and the original Design Overlay Review approvals for the existing signs, staff and the applicant concur that the proposed project can be approved administratively by the City Manager. Furthermore, on October 13, 2020 the Planning Commission adopted Planning Commission Resolution No. 20-2071, concurring with staff's determination. Accordingly, the City Council is not being asked to render a decision on the merits of the application at this time, but instead, is being asked to render its opinion on whether it concurs with staff and the applicant that Administrative approval is the proper procedure, in which case the jurisdiction to render a substantive decision or recommendation on the merits of the application would remain with the City Manager pursuant to both the DDA and the CMC.

The refurbished design for the signs will remain in substantial conformance with the conceptual and schematic design drawings approved by the City as part of the original Design Overlay Reviews.

II. RECOMMENDATION

WAIVE FURTHER READING AND ADOPT:

Resolution No. 20-162, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON CONFIRMING ADMINISTRATIVE APPROVAL AUTHORITY FOR THE REFURBISHMENT OF TWO ELECTRONIC MARQUEE SIGNS AT 21710 RECREATION ROAD AND 431 ALBERTONI STREET FOR DIGNITY HEALTH SPORTS PARK."

III. ALTERNATIVES

TAKE such other action as the City Council deems appropriate, consistent with the requirements of the law.

IV. BACKGROUND

Both subject properties are located in the CG-D-EMS (Commercial, General Design Overlay, Electronic Marquee Signage) zone. The site at 21710 Recreational Road is designated Regional Commercial under the Land Use Element of the General Plan and located along the northern side of the I-405 Freeway. The site at 431 Albertoni Street is designated General Commercial under the Land Use Element of the General Plan and is located on the southern side of SR-91 Freeway. Land uses surrounding the proposed project site are primarily the respective freeways, residential and commercial.

Site History & Applicable Review Process

On October 22, 2002, the City approved Design Overlay Review No. 02-08-795 and 796, permitting the now-existing electronic marquee signs on the subject properties in compliance with CMC Section 9138.71. The existing signs are still within the EMS overlay district; however, CMC 9138.71 appears to contemplate the initial permitting of new signs (e.g., the existing signs when initially established), and does not expressly provide that the approval process outlined therein (Planning Commission recommendation to City Council) applies to modifications to the existing signs.

Condition No. 10 of Planning Commission Resolution No. 02-1921 (approving DOR 02-08-795), and Condition No. 10 of Planning Commission Resolution No. 02-1922 (approving DOR 02-08-796) require any future alteration or upgrade to the respective sign structures to be approved by the City.

Section 6.9 of the DDA provides, "for so long as a Lease is in effect with respect to a Site, Developer shall have the right to modify, refurbish, update, or replace the Signage Improvements located on each site. In the event that such modification, refurbishment, update or replacement of the Signage Improvements requires approval . . . City, such changes shall be reviewed on behalf of . . . City, by City Manager." A "Signage Improvement" is defined in the DDA as a "commercial electronic message center marquee sign with an electronic message board and two trivision advertising panels." "Lease" is defined in the DDA to include a ground lease. There is a valid Lease in effect for 21710 Recreational Road through August 14, 2062, and for 431 Albertoni Street through December 31, 2047. "Site" is defined to refer to the subject properties.

The applicant seeks to refurbish and update the signs to current billboard technology standards. The applicant is of the opinion the proposed work is authorized under the existing approvals, but seeks the City's concurrence. Based upon the above, staff concurs that the proposed work is not subject to the approval process outlined in CMC Section 9138.71, but believes administrative approval of the City Manager is required pursuant to the conditions of the above-referenced DOR approvals and Section 6.9 of the DDA. After receiving the Planning Commission’s concurrence pursuant to adoption of Planning Commission Resolution No. 20-2071 on October 13, 2020, Staff is now requesting the Council's concurrence in this determination.

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Existing Signage Improvements
The existing electronic message center marquee signs consist of three advertising panels 35'8" wide and 115' tall. The existing height above freeway grade is 105', which is permitted by the original approvals (Exhibit 7- Figure 1).

Proposed Refurbished Signs
The proposed refurbishment would convert the three existing panels into one larger panel on each sign. The refurbished sign would be approximately the same height as the existing sign. The conversion of the existing tri-panel displays into the proposed combined panel (or "LED wall") structures will not result in unwanted glare to freeway traffic. A light and glare study performed for each of the refurbished signs indicates that there are no new light and glare impacts with the refurbished signs. The support structures would remain in the same location and size, with an updated aesthetic appearance (Exhibit 7 - Figure 2).

Civic Center Electronic Message Board
In addition, and as a side note not subject to the requested concurrence determination, the applicant has offered to refurbish the Civic Center electronic message board sign. This refurbishment will be coordinated with the City to ensure the improvements will meet the needs of the City for the next several years. The applicant expects to complete work on the Civic Center sign and the two electronic marquee signs by end of 2021 (Exhibit 7 - Figure 3).

V. FISCAL IMPACT

NONE

VI. EXHIBITS

1. Resolution No. 20-162 (pgs. 5-11)
2. Disposition and Development Agreement (DDA) (pgs. 12-110)
3. Reso No. 02-1921 approving DOR No. 02-08-795 (pgs. 117-123)
4. Reso No. 02-1922 approving DOR No. 02-08-796 (pgs. 124-130)
5. Development Plans (pgs. 124-130)
6. Cooperation Agreement (pgs. 131-140)
7. Existing and Proposed Signs (pgs. 141-142)

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