



CARSON PLANNING COMMISSION STAFF REPORT

DATE: April 11, 2023
FROM: Christopher Palmer, AICP - Planning Manager
BY: Aaron Whiting, Associate Planner
SUBJECT: Site Plan and Design Review (DOR) No. 1612-16 Conditional Use Permit (CUP) No. 1002-16.

PROJECT/APPLICANT INFORMATION

Project Summary: A one-year time extension of Project Approval (Site Plan and Design Review No. 1612-16 and Conditional Use Permit No. 1002-16) to renovate an industrial site for a proposed truck yard facility
Project Location: 20915 S. Lamberton Avenue (APN 7318017014)
Zoning: Heavy Manufacturing – Design Overlay (MH-D)
Project Applicant/Owner: Highline Trucking Company

I. OVERVIEW

A. Introduction and Project History

Pursuant to Condition No. 3 of the project conditions of approval, the applicant is required to obtain building permits within two years following the effective date of project approval or the project approval shall become null and void, unless a time extension request is approved by the Planning Commission. The procedure/criteria for approval of a time extension of a Site Plan and Design Review and Conditional Use Permit approval are set forth in Carson Municipal Code (“CMC”) Section 9172.23(l)(2) and subsection (H)(2) of CMC Section 9172.21, respectively.

On December 10, 2019, the Planning Commission adopted Resolution No. 19-2680, approving Site Plan and Design Review No. 1612-16 and Conditional Use Permit No. 1002-16, approving a request to operate a truck yard facility, subject to conditions.

On December 14, 2021, the Planning Commission adopted Resolution No. 21-2720, approving a one-year time extension for the project thus extending the building permit deadline to December 25, 2022.

On December 19, 2022, prior to the expiration of the approval, the applicant made a timely request for an extension to complete the subject project (Exhibit 4).

B. Existing Conditions

1. Land Use Information

The subject property is a consortium of 11 parcels measuring approximately 2.8 acres and is accessed from two main streets: Lamberton Ave and Brant Ave. The property is flanked on both sides of a 15 foot wide public alley.

The project site is surrounded by industrial uses on all sides.

2. Site Conditions

There is an existing 13,053 square foot office/ warehouse building on the property. There is existing landscaping in front of the building access on Lamberton side.

3. General Plan and Zoning Information

The following table summarizes the surrounding land uses, zoning, and general plan designations:

Table A

Land Use Summary Table			
	Existing Use	Zoning	General Plan
Subject Site	Industrial- Warehouse/Office	Heavy Manufacturing – Design Overlay (MH-D)	Heavy Industrial (HI)
North of Subject Site	Industrial- Warehouse	Heavy Manufacturing (MH)	Heavy Industrial (HI)
South of Subject Site	Commercial- Office	Heavy Manufacturing – Design Overlay (MH-D)	Heavy Industrial (HI)
East of Subject Site	Industrial-Truck Yard	Heavy Manufacturing – Design Overlay (MH-D)	Heavy Industrial (HI)
West of Subject Site	Commercial and Industrial	Heavy Manufacturing – Design Overlay (MH-D)	Heavy Industrial (HI)

II. ANALYSIS

Pursuant to Condition No. 3 of the project conditions of approval, the applicant is required to obtain building permits within two years following the effective date of project approval (December 25, 2019). A permit which would otherwise expire may be extended by the Commission if the Commission finds that the termination of the permit would constitute an undue hardship upon the permit holder and that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public. The

applicant is requesting their final extension. Extensions shall not be granted for more than a total of one (1) year unless a public hearing is held and approval granted in the same manner and based upon the criteria as for issuance of a new permit. If the request is denied, DOR No. 1612-16 and CUP No. 1002-16 would become automatically null and void. The applicant would have the opportunity to file new DOR and CUP applications.

As previously stated, the subject project was conditionally approved by the Planning Commission on December 10, 2019. An extension of time was granted on December 14, 2021 which provided the applicant until December 25, 2022 to obtain building permits. As of the date of this staff report building permits have not been issued. Staff notes that the truck yard has been operating during this period. Furthermore, the subject project was conditioned to make site improvements that remain unsatisfied including Parking and Traffic Condition of Approval 2 which requires paving all areas to be used for movement, parking, loading or storage of vehicles.

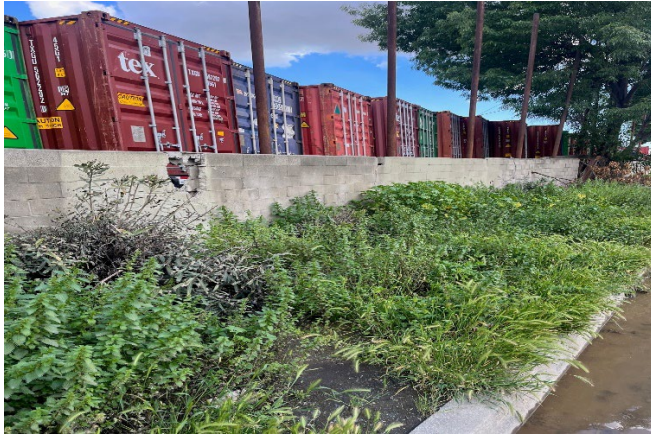
As a result of the truck yard operating on an unpaved area, soil from the project site has spread onto the surrounding streets. The City has received several complaints regarding the matter. Figure A provided below is an image of the existing conditions of the unpaved project site.

Figure A



The Code Enforcement Division have issued multiple citations to the subject truck yard operator for vehicles and related equipment blocking the alley in addition to the staging of trucks and trailers in the surrounding streets. Figures B and C show images of the current property conditions along Brant Avenue and trailers and equipment related to the truck yard blocking the alley, respectively.

Figure B



There are also existing code compliance issues including:

- unkept property
- trash and debris
- overgrown vegetation
- broken fences and damaged walls
- operating without a business license

Figure C



The applicant provided a narrative for the time extension request which is included as (Exhibit 4). In the narrative the applicant described the following issues which caused delays: difficulties coordinating the alleyway dedication required by Public Works and Engineering condition of approval number 10, and completion of the landscape plans.

Staff reviewed the applicant's concerns and determined that the amount of time that has passed was sufficient to gain compliance, even if not full; however, not enough progress has been made in the last few years that warrant additional time. There are existing code issues and the operator lacks a business license. Therefore, findings in support can not be made.

A. Public Hearing Notice

Public Notice was given in accordance with Part 7 of the CMC. Notice of public hearing was posted to the project site and mailed to property owners and occupants within a 750' radius on March 30, 2023. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

B. Environmental Analysis

The proposed activity is exempt from CEQA on the basis that CEQA applies only to projects that an agency proposes to carry out, support, or approve; projects that a public agency rejects or disapproves are exempt from CEQA. Pub. Res. Code §21080(b)(5); 14 Cal Code Regs §15270(a).

III. CONCLUSION AND RECOMMENDATION

Although a time extension was granted allowing the applicant/holder of the Project Entitlements until December 25, 2022 to obtain building permits in compliance with Condition No. 3 of the Project conditions of approval, the project was not approved prior to said date and the entitlements have lapsed. Furthermore, the continued operation of the truck yard without an approved business license or the site improvements required by the project conditions of approval has negatively impacted the health, safety and general welfare of the surrounding business community. Multiple citations have been issued to the truck yard. The project site has not been kept in good standing as required by the project conditions of approval. Continuation of the permit would be materially detrimental to the health, safety and general welfare of the public. Therefore, staff recommends that the extension request be denied, as set forth in the proposed resolution.

Staff recommends the Planning Commission:

- **ADOPT** Resolution No. 23-____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING AN APPLICATION FOR A SECOND ONE-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY GRANTED PROJECT ENTITLEMENT (SITE PLAN AND DESIGN REVIEW NO. 1612-16 AND CONDITIONAL USE PERMIT NO. 1002-16) TO RENOVATE AN INDUSTRIAL SITE FOR A PROPOSED TRUCK YARD FACILITY AT 20915 S. LAMBERTON AVENUE."

ATTACHMENTS

- 1) Draft Resolution No. 23-____.
 - A. Legal Description
- 2) Planning Commission Staff Report dated December 10, 2019, including Resolution No. 19-2680
- 3) Planning Commission Staff Report dated December 14, 2021, including Resolution No. 21-2720
- 4) Letter of Justification / Request for Extension