



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: January 12, 2010

SUBJECT: Extension of Time for Design Overlay Review No. 1295-08 and Conditional Use Permit No. 703-08

PROPERTY OWNER: Carson Valley, LLC  
Attention: James Chen, Point Center Financial, Inc.  
7 Argonaut  
Aliso Viejo, CA 92656

REQUEST: A one-year time extension for Design Overlay Review No. 1295-08 and Conditional Use Permit No. 703-08 to construct a mixed-use business park with 265,000 square feet of light industrial, office & retail space in the ML-ORL (Manufacturing Light, Organic Refuse Landfill) zone located within the Redevelopment Project Area 1.

PROPERTY INVOLVED: 20630 Figueroa Street

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#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Gordon
		Vice-Chair Saenz			Graber
		Brimmer			Park
		Brown			Schaefer
					Verrett

**Item No. 9-B**

**I. Introduction**

The property owner, Carson Valley, LLC, is requesting a one-year extension for Design Overlay Review No. 1295-08 and for Conditional Use Permit No. 703-08, pursuant to the Carson Municipal Code Sections 9172.21 & 9172.23. The property is located at 20630 Figueroa Street and is zoned ML-ORL (Manufacturing Light, Organic Refuse Landfill).

**II. Background**

On November 25, 2008, the Planning Commission held a public hearing to consider Design Overlay Review No. 1295 and Conditional Use Permit No. 703-08, and recommended approval to the Carson Redevelopment Agency and City Council to permit the construction of a mixed-use business park with 265,000 square feet of light industrial, office and retail space. The Carson Redevelopment Agency approved DOR No. 1295-08 and the City Council approved CUP No. 703-08 on February 17, 2009.

**III. Analysis**

CMC Section No. 9141.12 A., (Uses Permitted on Organic Refuse Landfill/ORL Sites) requires that no use shall be permitted on property designated as ORL without the approval of conditional use permit by both the Commission and the Council. As indicated above the applicant/property owner obtained said approval pursuant to the CMC requirements. However, due to current credit market conditions the previous developer was unable to obtain construction financing necessitating the subject request by the property owner for an additional year to pursue the development of the project site.

**IV. Recommendation**

That the Planning Commission:

- **APPROVE** the extension of time for Design Overlay Review No. 1295-08 and Conditional Use Permit No. 703-08 until February 17, 2011; and
- **ADOPT** a minute resolution extending the approval to February 17, 2011.

**V. Exhibits**

1. Extension request letter dated December 15, 2009;
2. Planning Commission November 25, 2008 staff report;
3. Redevelopment Agency Resolution No. 09-03 and;
4. City Council Resolution No. 09-012

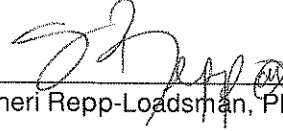


Prepared by:



Zak Gonzalez II, Associate Planner

Approved by:



Sheri Repp-Loadsman, Planning Officer

Zg/DOR 1295-08 & CUP 703-08\_extoftime 1-12-10pc.doc



RECEIVED

December 15, 2009

2010 JAN -5 AM 9:50

ENGINEERING SERVICES  
CITY OF CARSON

Planning Commission  
Development Services/Planning Division  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
ATTN: Zak Gonzalez II, Associate Planner

RE: APN: 7336-003-030; Extension of Time Application  
Conditional Use Permit No. 703-08;  
Design Overlay Review Permit No. 1295-08

Dear Honorable Planning Commissioners:

It was a great pleasure to meet with Mr. Gonzalez on December 15, 2009 at the Carson City Hall to discuss the above subject.

As it was presented to Mr. Gonzalez that Carson Valley, LLC is the current property owner, had a Purchase Agreement with Steve Coyne, the buyer and the Developer, who encountered financing difficulties for the project construction under the current credit market crisis. Presently, the proposed project is under the care of Point Center Financial, Inc. who is the manager for the property owner.

Based on reports of economic data and Real Estate Markets, it has suggested that the Industrial Real Estate market in the area could take few more years to realize the recovery. Regarding the financing for environmental brown-field projects, there is no indication when it may become available.

Due to the above hardships we are dealing with right now, we would like to request "Extension of Time" for the above two permits. Your approval would be greatly appreciated. Attached are the application and payment of \$150.00.

Sincerely,

POINT CENTER FINANCIAL, INC.



James Chen  
Director of Real Estate Development



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 24, 2008

SUBJECT: Design Overlay Review No. 1295-08 &  
Conditional Use Permit No. 703-08

APPLICANT: The S. M. Coyne Company Inc.  
Attention: Steve Coyne  
1400 Quail Street, Suite 260  
Newport Beach, CA 92660

REQUEST: Recommend approval to construct a mixed-use business park with approximately 265,000 square feet of light industrial, office and retail space on 14.3 vacant acres located in the ML-ORL (Manufacturing Light – Organic Refuse Landfill) zone district

PROPERTY INVOLVED: 20630 S. Figueroa Street

#### COMMISSION ACTION

☒ Concurred with staff  
☐ Did not concur with staff  
☐ Other

Commissioner Verrett moved, seconded by Vice-Chairman Saenz, to concur with staff recommendation, thus adopting Resolution No. 08-2241. Motion carried.

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
<input checked="" type="checkbox"/>		Chairman Faletogo	<input checked="" type="checkbox"/>		Saenz
<input checked="" type="checkbox"/>		Cannon	<input checked="" type="checkbox"/>		Verrett
<input checked="" type="checkbox"/>		Graber			

## **I. Introduction**

### *Date Application Received*

- April 14, 2008: Design Overlay Review No. 1295-08 and Conditional Use Permit No. 703-08

### *Applicant/Property Owner Representative*

- Steve Coyne, 1400 Quail, Suite 260, Newport Beach, CA 92660

### *Property Owner*

- S.M. Coyne Company Inc., 1400 Quail, Suite 260, Newport Beach, CA 92660

### *Project Address*

- 20630 S. Figueroa Street

### *Project Description*

- The proposed project consists of a mixed-use business park with approximately 265,000 square feet of light industrial, office and retail space on 14.3 vacant acres located in the ML-ORL (Manufacturing Light-Organic Refuse Landfill) zone district.
- The application includes:
  1. Design Overlay Review No. 1295-08 for approval to construct the mixed-use business park with 11 buildings and approximately 265,000 square feet of light industrial, office and retail space
  2. Conditional Use Permit No. 703-08 for development on property designated as ORL (Organic Refuse Landfill)

## **II. Background/Analysis**

### **Proposed Mixed Use Business Park Project:**

The applicant Steve Coyne Company Inc. is proposing a Mixed Use Business Park with approximately 265,000 square feet of light industrial, office and retail space on a vacant 14.3 acres site located at 20630 Figueroa Street. The site is zoned ML-ORL (Manufacturing Light, Organic Refuse Landfill) and is surrounded by a mobile home park, a church, self storage, retail and light industrial businesses. The General Plan designates the site for Mixed Use Business Park use.



The site is located within the former "Gardena Valley 1 & 2 Landfill Sites". The landfill sites were permitted to receive industrial and municipal wastes and operated from November 1956 to October 1959. The State Department of Toxic Substances Control (DTSC) approved a "Remediation Action Plan" in 1992 and issued a Negative Declaration (attached) for said project. In 1999 DTSC approved a "Design Implementation Plan". On June 19, 2008, DTSC entered into a "Reimbursement Agreement" for consultative services with the SM Coyne Company. The Remedial Design consists of: site cleaning and grubbing; earthwork; grading; cap construction; storm-water conveyance system; landfill gas collection and treatment system.

The proposed mixed-use business park with approximately 265,000 square feet of light industrial, office and retail floor space is a speculative project that does not have signed tenants. This project would be the first project that would be processed under the General Plan designation of Mixed Use Business Park. The site's existing ML-ORL zoning requires the processing of a conditional use permit application and the submittal of a report approved by the Building and Safety Division and the City Council prepared by a licensed civil engineer that would provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use. The proposed project site is also within Redevelopment Project Area 1 and therefore requires the processing of a Design Overlay Review to evaluate the proposed buildings site plan and design characteristics.

During the application review period, the applicant submitted several site plans with a range of square footage and truck loading facilities. Considerable discussion with the applicant focused on the types of uses typically permitted within a business park, parking standards and limitations on truck loading activities. Upon review of other business park zoning standards, there is generally a strict limitation on truck loading activities and a requirement to design the project to encourage office uses. Business park ordinances reviewed by staff typically provide parking standards to allow for a minimum of 50-60% office space. Business park developments often provide parking at standards to allow for a greater percentage of office use.

Based on staff research and site visits to existing business park developments, the proposed development by the applicant appears to substantially comply with standards for business parks. Staff supports the proposed project with approximately 265,000 square feet of light industrial, office and retail commercial floor space. Development at the proposed square footage reflects a "Floor Area Ratio" (F.A.R.) of .42 which would be consistent with recommended lot coverage for Mixed Use Business Parks. The proposed 704 parking spaces provides a 50 / 50 percent ratio of office/and manufacturing space with parking provided at a (1/300 parking ratio for office and 1/500 parking ratio for manufacturing use).

The proposed development limits the amount of truck loading activities. The majority of tenant spaces are provided with oversized doors to allow for the occasional receipt or shipping of product. These doors will not provide active truck loading. Four tenant spaces are currently designed with large dock high loading facilities. The loading has been placed internal to the tenant space with roll-up doors provided to allow any trailers to be secured and screened. Typically, business parks would not accommodate any dock high loading facilities. The applicant has requested some consideration due to the current market conditions and the unusual costs associated with the landfill condition. The proposed internalized design limits the amount of actual truck loading and will facilitate a broader range of businesses that would be attracted to the development.

The proposed site plan includes retail commercial space along Figueroa Street with a 25 foot average building setback in compliance with CMC requirements. The project design also allows consideration for retail space along Main Street frontage in case there is market interest for such space.

Due to the site being a former landfill no deep-rooted plants or trees may be planted. However, any areas that may not be affected by the capping treatment of the Remediation Action Plan will be planted with landscaping that enhances the future mixed use business park development. Potted plants may also be planted throughout the site.

The applicant has prepared technical studies including: traffic study; noise study; air quality study; a health risk assessment and a greenhouse gas emissions evaluation. These stated studies include "project design features" that have been incorporated into the project to prevent the occurrence of, or reduce the significance of, potential environmental effects. Furthermore, the applicant had prepared an environmental checklist that concluded that impacts from the project will be less than significant and are not anticipated to be different or greater than those identified in the General Plan EIR; therefore, no additional CEQA analysis is required for the proposed project beyond the General Plan EIR.

The applicant will submit permits for tenant signage at a later date in compliance with CMC signage requirements.

#### *Zoning/General Plan/Redevelopment Area Designation*

- The subject property is zoned ML-ORL (Manufacturing Light, Organic Refuse Landfill) and surrounding properties share the same zoning designation.
- The subject property has a General Plan Land Use designation of Mixed Use Business Park and is located within Redevelopment Project Area No. 1.





### *Applicable Zoning Ordinance Regulations*

The proposed mixed use business park is subject to the approval of a development plan in accordance with the Site Plan and Design Review (DOR) and Conditional Use Permit (CUP) procedures as provided in Section 9172.23 and Section 9172.21, respectively.

#### *Required Findings: Site Plan and Design Review*

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
2. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.
3. Convenience and safety of circulation for pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

#### *Required Findings: Conditional Use Permit*

Pursuant to Section 9172.21.D, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

#### *Conditional Use Permit No. 703-08-Organic Refuse Landfill Sites*

The proposed project shall be subject to CMC Section 9141.12 shall be subject to:

1. To any other conditions that the Commission or Council may impose;



2. Obtain approval of engineer's report provided to the Building and Safety Division;
3. Include a methane collection, venting and monitoring system for the proposed mixed use business park;
4. Comply with all measures to eliminate or mitigate the hazards and environmental risks associated with the site proposed in the report approved by Building and Safety Division and DTSC;
5. Be subject to regular inspections as approved by Building and Safety Division; and
6. Include adequate measures to eliminate odors from the site.

Staff has contacted DTSC and confirmed the following:

1. A land use covenant was recorded on April 28, 1989 that stated that: no excavation of contaminated soils without agency review and approval; notify prior to development; notify prior to subsurface work; residence use prohibited; hospital use prohibited; public or private school for persons under 21 prohibited; day care center prohibited; activities prohibited which disturb the remedy and monitoring systems without approval and elder care prohibited.
2. This former landfill site received 75 percent residential refuse and 25 percent other wastes, including liquid industrial waste. Sample results show that metals, chlorinated solvents, petroleum constituents, DDT and vinyl chloride are present. Methane gas escaping via the soil surface may pose a fire and explosion hazard for the proposed commercial development unless gas is controlled. DTSC has reviewed two "Remedial Investigation" reports on this property. Based on their review DTSC has ordered further groundwater investigation.
3. A Reimbursement Agreement for consultative services with the SM Coyne Company was fully executed on June 19, 2008.
4. DTSC approval of Remedial Design consists of the following major tasks: site cleaning and grubbing; earthwork; grading; cap construction; storm-water conveyance system; landfill gas collection and treatment system.

All of the required findings pursuant to Section 9172.23(D), "Site Plan and Design Review, Section 9172.21 (D) "Conditional Use Permit" Approval Authority and Findings and Decision", can be made in the affirmative. Details can be found in the attached Resolution.

*Issues of Concern:*

- Issue – Geology and Soils: Pursuant to Section 9141.12 Uses Permitted on Organic Refuse Landfill Sites, the proposed project is located on a former landfill site. An engineer's report must be submitted for approval by the city's Building and Safety Division and the City Council. DTSC must also approve a Remediation Action Plan and any other remedial investigation studies deemed necessary to mitigate any potential hazard associated with the proposed mixed-use business park/commercial use.



- *Mitigation:* The applicant shall submit an engineer's report to the city's Building and Safety Division for approval. Said report shall be prepared by a licensed civil engineer and will provide plans for a protective system or systems designated to eliminate or mitigate the potential hazard and environmental risks associated with the proposed use.
- *Mitigation:* The applicant shall also submit to DTSC all necessary "Remedial Investigation Reports" and Remedial Designs to satisfy DTSC review and approval requirements.

### DTSC Review

The applicant will submit to DTSC a "Final Remedial Design Plan" which will include a conceptual site model (CSM) which is a summary of the results of all previous investigations and the type, concentration and distribution of the contaminants present at the site. DTSC will review the CSM and determine if the investigation of the site is complete. If DTSC determines the investigation is complete or sufficient to support identification of an appropriate remedy, DTSC will inform the applicant that they can move forward with the development of a corrective measure proposal (CMP).

The CMP will be submitted to DTSC for review and approval. The CMP will state the current site conditions, evaluate various cleanup alternatives and propose a final remedy for the site. The proposed final remedy may consist of several actions such as vapor extraction, soil excavation and offsite disposal and/or land use covenant. If DTSC agrees with proposed remedy in the CMP a 30 day public comment period would follow. At the end of the public comment period, DTSC will review all comments received and will respond as appropriate to the comments. DTSC could then approve the CMP for implementation with or without modifications. Implementation of the CUP is required to make the site safe for the project.

After implementing the CMP the applicant is required to submit a report to DTSC presenting the results and to submit as needed any monitoring reports. The applicant has entered into a "Reimbursement Agreement for consultative services" with DTSC. The applicant is finalizing the "Remedial Design Plan" and will submit to DTSC for their review and approval.

### **III. Environmental Review**

Pursuant to Sections 15168(a) (c) (2)& (4); and 15162 of the California Environmental Quality Act (CEQA) Guidelines, impacts from the proposed project are not anticipated to be different or greater than those identified in the General Plan EIR; therefore, impacts will be less than significant and no additional CEQA analysis is required for the proposed project beyond the General Plan EIR.



#### IV. Recommendation

That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL DESIGN OVERLAY REVIEW NO. 1295-08 TO THE CARSON REDEVELOPMENT AGENCY, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 703-08, TO THE CITY COUNCIL FOR THE PROPERTY LOCATED AT 20630 S. FIGUEROA STREET."

#### V. Exhibits

1. Resolution
2. Development Plans
3. DTSC Negative Declaration, 6-30-1992
4. Environmental Checklist ( Proposed Mixed-Use Business Park)

Prepared by: \_\_\_\_\_

Zak Gonzalez II, Associate Planner

Reviewed by: \_\_\_\_\_

John F. Signo, AICP, Senior Planner

Approved by: \_\_\_\_\_

Sheri Repp, Planning Manager



## RESOLUTION NO. 09-03

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, APPROVING DESIGN OVERLAY REVIEW NO. 1295-08 TO CONSTRUCT A MIXED-USE BUSINESS PARK WITH APPROXIMATELY 265,000 SQUARE FEET OF LIGHT INDUSTRIAL, OFFICE AND RETAIL SPACE ON PROPERTY LOCATED AT 20630 S. FIGUEROA STREET

The Redevelopment Agency of the city of Carson hereby finds, resolves and orders as follows:

**Section 1.** An application was duly filed by the applicant, The S.M. Coyne Company Inc., with respect to real property located at 20630 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting approval of Design Overlay Review No. 1295-08 from the Carson Redevelopment Agency for the development of a Mixed-Use Business Park with approximately 265,000 square feet of light industrial, office and retail space on 14.3 vacant acres. The property is located in the ML-ORL (Manufacturing, Light; Organic Refuse Landfill) zoning district and within Redevelopment Project Area 1.

The Planning Commission held a duly noticed public hearing on November 25, 2008, 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. At the conclusion of said meeting, the Planning Commission adopted Resolution No. 08-2241 recommending to the Carson Redevelopment Agency approval of Design Overlay Review No. 1295-08.

On February 17, 2009, the Carson Redevelopment Agency held a meeting to consider approval of Design Overlay Review No. 1295-08 as recommended by the Planning Commission.

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

**Section 3.** The Redevelopment Agency finds that:

- A) The General Plan currently designates the site as Mixed-Use Business Park and the zoning designation is ML-ORL (Manufacturing, Light; Organic Refuse Landfill), which allows for the development of mixed-use business park uses. The proposed project is consistent with land use regulations associated with light manufacturing, office and retail uses and the proposed development will adhere to the goals and policies described in the Land Use Element of the General Plan. The site is surrounded by light industrial and residential uses.
- B) The design and architecture of the proposed development conforms to all the applicable design and development standards of the Zoning Ordinance. Furthermore, the site has been vacant for many years. The proposed development will serve to enhance the existing blighted parcel by providing quality design, site upgrades and land uses that will enhance the surrounding neighborhood. As such, the project is compatible with the existing and anticipated development of the area.
- C) Figueroa and Main Streets are major streets that can accommodate the proposed development. The proposed mixed-use business park is not expected to significantly increase traffic patterns to the subject site. Furthermore, the City's Traffic Engineer has reviewed the proposed project and has determined that the use will not create significant traffic impacts to the area circulation and that adequate street access and traffic capacity exist.

**Exhibit 3**



- D) The project's signage will be submitted at a future date. All signage shall comply with the Carson Municipal Code.
- F) Pursuant to the Redevelopment Plan for Project Area 1, the proposed project will facilitate the redevelopment of a currently blighted, vacant lot and allow for the development of a new mixed-use business park, which will provide jobs to the community and showcase a new contemporary development. The proposed development is consistent with the general intent of the Redevelopment Plan for the area.
- G) The proposed office project will be consistent with the city's Land Use Element by providing the community with a mixed-use business park. Construction operations will comply with all city, county, and state requirements including best management practices to minimize impacts to adjacent properties.
- H) The proposed project is consistent with the Land Use Element goals and objectives.

**Section 4.** Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332, In-Fill Development Projects, the proposed project is Categorical Exemption and will not have significant adverse effects on the environment.

**Section 5.** Based on the aforementioned findings, the Redevelopment Agency hereby approves Design Overlay Review No. 1295-08 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

**PASSED, APPROVED and ADOPTED** this 17<sup>th</sup> day of February 2009.

  
\_\_\_\_\_  
Agency Chairman Jim Dear

ATTEST:

  
\_\_\_\_\_  
Agency Secretary Helen S. Kayvago

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Agency Counsel

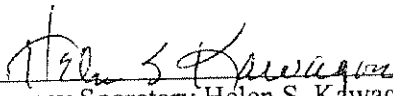
[MORE]



STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES   ) ss.  
CITY OF CARSON            )

I, Helen S. Kawagoe, Agency Secretary of the Redevelopment Agency, Carson, California, do hereby certify that the whole number of members of the Carson Redevelopment Agency is five; that the foregoing resolution, being Resolution No. 09-03 was duly and regularly adopted by said Agency at a regular meeting duly held on the 17th day of February, 2009, and that the same was passed and adopted by the following vote:

AYES:	AGENCY MEMBERS:	Chairman Dear, Gipson, Williams and Davis-Holmes
NOES:	AGENCY MEMBERS:	None
ABSTAIN:	AGENCY MEMBERS:	Santarina
ABSENT:	AGENCY MEMBERS:	None

  
\_\_\_\_\_  
Agency Secretary Helen S. Kawagoe

[MORE]

15

EXHIBIT A

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel 4, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 62 Page 68 of Parcel Maps, in the Office of the County Recorder of said County.

Excepting from that portion included within Lots 38, 39 and 44 of Tract No. 6378, all oil, gas, hydrocarbon substances and other minerals in and under said land with the right to drill for, mine, extract, take and remove the same from any wells or shafts located on any land adjacent to the above described land without accounting to the Grantee for any rentals, royalties or proceeds from the sale of such minerals, as reserved in deed from Sunset Oil Company, recorded August 2, 1944 in Book 20925 Page 72 of Official Records.

Also except all oil, gas and other hydrocarbon substances and all other minerals in and under said land (except the South 350 feet of Lots 36 and 37), as reserved by Sunset Oil Company, a Corporation in deed recorded July 1, 1955 in Book 48230, Page 289 of Official Records and by Sunset International Petroleum Corporation, a Corporation in deed recorded July 20, 1960 in Book D-916 Page 193 of Official Records.

Also except from said land that portion lying within the lines of Lot 91 Tract No. 4671, all oil, gas, petroleum and other hydrocarbon substances which lie below a plane of 500 feet from the surface of said land as excepted in the deed from Del Amo Estate Company, a Corporation, recorded November 8, 1963 in Book D-2250 Page 748 of Official Records.

Assessor's Parcel Number 7336-003-030



RESOLUTION NO. 09-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 703-08 TO AUTHORIZE CONSTRUCTION OF A MIXED-USE BUSINESS PARK WITH 265,000 SQUARE FEET OF LIGHT INDUSTRIAL, OFFICE AND RETAIL SPACE ON PROPERTY LOCATED AT 20630 FIGUEROA STREET

THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

**Section 1.** An application was duly filed by the applicant, The S.M. Coyne Company Inc., with respect to real property located at 20630 Figueroa Street, and described in Exhibit "A" attached hereto, requesting approval to construct a Mixed-Use Business park with approximately 265,000 square feet of light industrial, office and retail space on a former landfill site in the ML-ORL (Manufacturing, Light; Organic Refuse Landfill) zone.

A public hearing was duly held by the Planning Commission of the City of Carson on November 25, 2008 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 were duly given. At the conclusion of that meeting, the Planning Commission adopted Resolution No. 08-2241 recommending to the Carson City Council approval of Conditional Use Permit No. 703-08.

Public hearings were duly held by the Carson City Council on February 17, 2009 at 6:00 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of aforesaid meetings were duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the City Council at the aforesaid meeting.

**Section 3.** The City Council finds that:

- a) The General Plan designates the property as Mixed-Use Business Park use with which the proposed use is compatible. The proposed mixed-use business park will be complementary to the surrounding light industrial and residential uses and will be appropriate for the subject property. The proposed mixed-use business park meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations subject to compliance with the conditions of approval.
- b) The proposed development will be located on a 14.3 vacant acre property located off Figueroa and Main Streets. Figueroa and Main Street are considered major streets and have sufficient capacity and right-of-way improvements to accommodate the level of traffic generated by the proposed building.
- c) Adequate water supply shall be provided for fire protection. The applicant shall provide adequate driveway access, fire hydrants and fire flow. Appropriate conditions of approval are attached to ensure that the project will be served by adequate fire protection.
- d) The proposed use is subject to the requirements of Section 9141.12 - Uses Permitted on Organic Refuse Landfill Sites. Approval by the Building



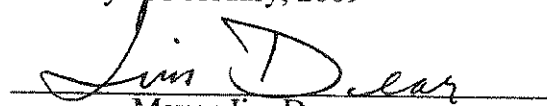
Official of a report submitted by the applicant, which shall provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use, shall be required prior to issuance of any building permit(s) for the proposed mixed-use business park.

**Section 4.** Based on the aforementioned findings, the City Council hereby approves Conditional Use Permit No. 703-08 with respect to the properties described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

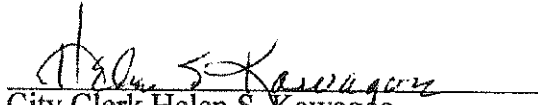
**Section 5.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 6.** 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 17<sup>th</sup> day of February, 2009

  
Mayor Jim Dear

ATTEST:

  
City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:

  
City Attorney

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON               )

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council is five; that the foregoing resolution, being Resolution No. 09-012 was duly and regularly adopted by said Council at a regular meeting duly and regularly held on the 17th day of February, 2009, and that the same was passed and adopted by the following vote:

AYES:	COUNCIL MEMBERS:	Mayor Dear, Gipson, Williams and Davis-Holmes
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	Santarina
ABSENT:	COUNCIL MEMBERS:	None

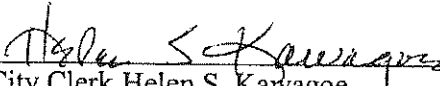
  
City Clerk Helen S. Kawagoe

EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel 4, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 62 Page 68 of Parcel Maps, in the Office of the County Recorder of said County.

Excepting from that portion included within Lots 38, 39 and 44 of Tract No. 6378, all oil, gas, hydrocarbon substances and other minerals in and under said land with the right to drill for, mine, extract, take and remove the same from any wells or shafts located on any land adjacent to the above described land without accounting to the Grantee for any rentals, royalties or proceeds from the sale of such minerals, as reserved in deed from Sunset Oil Company, recorded August 2, 1944 in Book 20925 Page 72 of Official Records.

Also except all oil, gas and other hydrocarbon substances and all other minerals in and under said land (except the South 350 feet of Lots 36 and 37), as reserved by Sunset Oil Company, a Corporation in deed recorded July 1, 1955 in Book 48230, Page 289 of Official Records and by Sunset International Petroleum Corporation, a Corporation in deed recorded July 20, 1960 in Book D-916 Page 193 of Official Records.

Also except from said land that portion lying within the lines of Lot 91 Tract No. 4671, all oil, gas, petroleum and other hydrocarbon substances which lie below a plane of 500 feet from the surface of said land as excepted in the deed from Del Amo Estate Company, a Corporation, recorded November 8, 1963 in Book D-2250 Page 748 of Official Records.

Assessor's Parcel Number 7336-003-030

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