

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 23-

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.

WHEREAS, 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 (collectively, the “Project Entitlements”), for the renovation of an industrial site for a proposed truck yard facility at 20915 S. Lamberton Avenue; and

WHEREAS, on December 19, 2022, the Department of Community Development received an application from John Lasiter, on behalf of the Project applicant/property owner, requesting a second one-year time extension for the project entitlement (the “Request”); and

WHEREAS, a staff report with recommendations was submitted, and the Planning Commission held a duly noticed public hearing to consider the Request on the 11th day of April 2023.

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

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

SECTION 2. The Planning Commission finds as follows:

- a) 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. The truck yard has been operating during this period without the benefit of permits.
- b) Community members neighboring the project have expressed concern that the truck yard operates in a manner that restricts access to a shared alley. City Code Enforcement Staff have confirmed said alley restrictions and have issued multiple vehicle citations.
- c) The truck yard operating on an unpaved area has resulted in the spread of excess soil from the project site to the surrounding streets. Condition No. 2 of the project conditions of approval, requires “all areas used for movement, parking, loading, or storage of vehicles shall be paved and in accordance with Section 9162.0 of the Zoning Ordinance”.
- d) The Project was conditionally approved in 2019. Pursuant to Condition No. 3 of the project conditions of approval, the applicant is required to obtain building permits and commence construction within two years following the effective date of project

approval (December 24, 2021), or the project approval shall become null and void, unless a time extension is approved by the Planning Commission. A one-year extension of the project entitlement has already been granted, effective December 25, 2021 to December 25, 2022. Per CMC 9172.23(I)(2) and CMC 9172.21 (H)(2), extensions of Site Plan and Design Review and Conditional Use Permit project approvals 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 same criteria as for the issuance of a new permit. A permit which would otherwise expire may be extended by the Commission, or by the Council upon appeal, If the Commission or Council 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 operation of the subject truck yard has negatively impacted the surrounding business by restricting access to the shared alley, causing the spread of excess soil on the surrounding streets, and a lack of maintenance of blight. The required finding that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public cannot be made in the affirmative; therefore, the Request cannot be granted.

SECTION 3. 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).

SECTION 4. Based on the foregoing findings, the Planning Commission of the City of Carson hereby disapproves and denies the Request for a one (1)-year extension of Site Plan and Design Review No. 1612-16 and Conditional Use Permit No. 1002-16.

SECTION 5. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed within that time in accordance with Section 9173.4 of the Carson Zoning Ordinance.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 11th day of April 2023.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

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

LOTS 16, 17, 18, 19, 20 AND 33 OF THE EIFTMAN STATION TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM SAID LOTS ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, IN, UNDER AND/OR THAT MAY BE PRODUCED FROM A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND, BUT WITHOUT ANY USE OF OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE TO A DEPTH OF 500 FEET THEREFROM.

LOTS 30, 31 AND 32 OF THE EIFTMAN STATION TRACT IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL MINERALS, GAS, OILS, PETROLEUM, NAPHTHA, HYDROCARBON SUBSTANCES AND OTHER MINERALS IN OR UNDER SAID LAND, LYING 500 FEET OR MORE BELOW THE SURFACE OF SAID LAND, AS EXCEPTED AND RESERVED IN DEED RECORDED IN BOOK 50377 PAGE 107 OF OFFICIAL RECORDS.

LOT 34, 35 AND 36 OF EIFTMAN STATION TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL MINERALS, GAS, OILS, PETROLEUM, NAPHTHA, HYDROCARBON SUBSTANCES AND OTHER MINERALS IN OR UNDER SAID LAND, LYING 500 FEET OR MORE BELOW THE SURFACE OF SAID LAND, AS EXCEPTED AND RESERVED IN DEED RECORDED OCTOBER 28, 1963.

LOTS 21, 22 AND 23 OF THE EIFTMAN STATION TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, GAS, MINERALS, MINERAL RIGHTS, OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND, BUT WITHOUT RIGHT OF ENTRY.

LOTS 14 AND 15 OF THE EIFTMAN STATION TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7318-017-014, 023 thru 029, 7318-017-046, 048, & 049

