



PLANNING COMMISSION STAFF REPORT

HEARING DATE: December 14, 2021

SUBJECT: Site Plan and Design Review (DOR) No. 1612-16
Conditional Use Permit (CUP) No. 1002-16

APPLICANT: Edward Byungyull Kwon & Judy Jeongyang Kwon
John Blaire Lasiter & GaHyun Lee
17252 Hawthorne Blvd Ste 480
Torrance, CA 90504-1032

PROPERTY OWNER: Edward Byungyull Kwon & Judy Jeongyang Kwon
John Blaire Lasiter & GaHyun Lee
17252 Hawthorne Blvd Ste 480
Torrance, CA 90504-1032

REQUEST: 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.

PROPERTY INVOLVED: 20915 S. Lamberton Avenue

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Thomas			Monteclaro
		Vice Chair Palmer			D. Thomas
		Diaz			Rashad
		Guerra			
		Huff			Alt. Docdocil Alt. Hernandez Alt. Wilson

Item No. 6A

EXHIBIT 3

I. Introduction

Applicant/Property Owner

Edward Byungyull Kwon &
Judy Jeongyang Kwon
John Blaire Lasiter &
GaHyun Lee
17252 Hawthorne Blvd Ste 480
Torrance, CA 90504-1032

II. Project Description and Background

The subject property is located in the MH (Manufacturing, Heavy) Zone and is designated Heavy Industrial under the Land Use Element of the General Plan. The subject property is located on the northwest corner of Lamberton Avenue and Dominguez Street. Land uses surrounding the proposed project site are primarily industrial. The existing office/warehouse measures 13,053 square feet with 2,216 square feet of office space. There are four loading docks on the southern side and two loading docks on the northern side of the warehouse.

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, subject to specified conditions of approval.

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), or the project approval shall become null and void, unless a time extension is previously approved by the Planning Commission. The procedure/criteria for approval of a time extension by the Commission are set forth in Carson Municipal Code ("CMC") Sections 9172.21(H)(2) and 9172.23(I)(2).

III. Request

The property owner/applicant requests an extension of the Condition Use Permit No. 1002-16 and Site Plan and Design Review (DOR) No. 1612-16 for the subject property. According to the written request of the applicant, "We completed all our engineering tests and developed plans which took 12 months because we hit slowdowns at every turn because of Covid 19. We were ready to submit plans in early 2020 when the City approached me and asked if I would be interested in taking over the alley way that separates the land into two sections. I agreed to take on the task of approaching 9 owners whose properties are adjacent to the alley way. This process has taken 9 months as each owner either wanted to wait for other owner commitments or they had issues with tax impacts, maintenance of the alley concerns, and civil engineering costs that were impeding their decision; each owner became a separate negotiation. After approximately 9 months of trying to get every owner on the same page agreeing to the city of Carson abandoning the alley way, Ownership, concluded that we may not be able to secure the commitments of all the other property owners." (Exhibit 3). Building plans (not including/providing for alley abandonment) were submitted on September 21, 2021 and are currently under review.

IV. Analysis

The request before the Planning Commission is not for reconsideration or modification of the project approvals or conditions, but rather is only for consideration of approval of the applicant's

request for a one-year time extension for effectiveness of the project approvals pursuant to the aforementioned Condition No. 3.

On October 18-21, 2021, the applicant made a timely request for an extension of time to complete the subject project (Exhibit 3).

Subsection (H)(2) of CMC Section 9172.21 (“Conditional Use Permit”) provides, “Upon application by the permit holder filed with the Director on or before the date of expiration of the 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. 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 same criteria as for the issuance of a new permit.”

Similarly, subsection (I)(2) of CMC Section 9172.23 (“Site Plan and Design Review”) provides, “Upon application by the permit holder filed with the Director on or before the date of expiration of the permit, 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. 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 same criteria as for the issuance of a new permit.”

The requested extension is for one (1) year. Thus, the requested extension may be granted by the Planning Commission without a public hearing upon finding that:

- The termination of the permit would constitute an undue hardship upon the permit holder; and
- The continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public.

The applicant has been diligently working with the City to fully comply with the conditions of approval and obtain the required permits, but it has taken longer than anticipated. The applicant's letter of justification states that additional time is needed to obtain building permits due to issues arising in inter-departmental coordination and limited staffing at both ends.

The project was originally approved and conditioned to ensure it is not materially detrimental to the health, safety and general welfare of the public, and staff is not aware of any circumstances, whether existing at the time of project approval or arising since that time, that would cause the extended effectiveness of the project approvals for an additional year to be materially detrimental to the health, safety, and general welfare of the public. Subject to ongoing compliance by applicant with all the project conditions of approval, which will be required as the conditions of approval will remain in effect with the proposed extension, staff believes that granting the requested extension of the permit would not be materially detrimental to the health, safety, and general welfare of the public.

If the request is approved, the one-year extension of time will expire on December 25, 2022. Staff anticipates the comprehensive General Plan update will be complete by spring of 2022. It is important to note that thereafter, truck yards will no longer be allowed in the MH zone.

V. Recommendation

That the Planning Commission:

- **ADOPT** Resolution No. -21-____, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY GRANTED PROJECT ENTITLEMENTS (SITE PLAN AND DESIGN OVERLAY REVIEW NO. 1612-16 AND CONDITIONAL USE PERMIT NO. 1002-16) FOR A SITE RENOVATION TO A PROPOSED TRUCK YARD FACILITY AT 20915 S. LAMBERTON AVENUE.

VI. Exhibits

1. Draft Resolution No. 21-____.
2. Planning Commission Staff Report dated December 10, 2019, including Resolution No. 19-2680
3. Letter of Justification.

Prepared by: Alvie Betancourt, Planning Manager

**CITY OF CARSON
PLANNING COMMISSION**

RESOLUTION NO. 21-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY GRANTED PROJECT ENTITLEMENTS (SITE PLAN AND DESIGN OVERLAY REVIEW NO. 1612-16 AND CONDITIONAL USE PERMIT NO. 1002-16) FOR A SITE RENOVATION TO 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 and legally described in Exhibit “A” attached thereto (the “Project”), subject to the conditions of approval attached to said resolution as Exhibit “B.” The approval of the Project Entitlements took effect on December 25, 2019; and

WHEREAS, Condition No. 3 of the Project conditions of approval provides that if a building permit is not issued for the Project within two years of the Project Entitlements’ effective date, the Project Entitlements shall be declared null and void unless an extension of time is previously approved by the Planning Commission; and

WHEREAS, on October 18, 2021, the Department of Community Development received an application from John Lasiter, on behalf of the Project applicant/property owner, requesting a one-year time extension for the Project Entitlements (the “Request”); and

WHEREAS, a staff report with recommendations was submitted, and the Planning Commission duly considered the Request on the 14th day of December, 2021.

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 applicant has experienced Project delays caused by (i) the COVID-19 pandemic related to limitations in its own staff, limitations on its ability to communicate with other agencies, and the need to work remotely/virtually, (ii) discussions with City staff and adjacent property owners regarding the potential for abandonment of an existing alleyway separating the two Project parcels, and (iii) discussions and inter-agency/department coordination with City and County staff regarding the proper agency/department for building plan review. As a result, additional time is needed beyond the two-year period provided by Condition No. 3 of the Project conditions of approval for the applicant to obtain building permits and commence construction.

- b) The Project was conditionally approved in 2019 in such a manner as to ensure that the Project is not materially detrimental to the health, safety and general welfare of the public, and no circumstances, either existing at the time of Project approval or arising since that time, have come to light that would make the requested one-year extension of effectiveness of the Project Entitlements materially detrimental to the health, safety and/or general welfare of the public, subject to ongoing compliance with the conditions of approval. Granting the requested one-year extension as set forth herein would not be materially detrimental to the health, safety and general welfare of the public.
- c) The termination or expiration of the Project Entitlements would constitute an undue hardship on the permit holder. The permit holder has worked diligently to complete the Project and to satisfy the Project conditions of approval, but has been unable to do so within the time limit specified in said Condition No. 3 due to factors largely beyond its control as described above.

SECTION 3. Based on the foregoing findings, the Commission hereby approves a one (1)-year extension, effective and commencing as of December 25, 2021, of effectiveness of the Project Entitlements, thus 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. With approval of the one (1)-year extension pursuant to this Section 3, the new date for expiration of the Project Entitlements is December 25, 2022, and the Project conditions of approval remain in full force and effect.

SECTION 4. Following expiration of the 15-day appeal period pursuant to Sections 9173.33-9173.4 of the Zoning Ordinance, if not appealed within such time period, this Resolution shall take effect and shall thereupon be effective as stated in Section 3.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 14th day of December, 2021.

CHAIRPERSON

ATTEST:

SECRETARY