



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** February 26, 2008

**SUBJECT:** Relocation Review (RR) No. 3037, Conditional Use Permit (CUP) No. 671-07; Text Amendment to Carson Municipal Code Section 9151.12.

**APPLICANT:** Goodyear Tire and Rubber  
c/o Leon Felus, Architect  
14000 Palawan Way, Suite D  
Marina Del Rey, CA 90292

**REQUEST:** A RR permit to construct a new 2,160 square foot modular office building. A CUP to authorize the construction on the Goodyear Airship property, currently zoned SU-BP-D-ORL (Special Use – Blimp Port – Design Overlay – Organic Refuse Landfill), portions of which are over a previous landfill.

**PROPERTY INVOLVED:** 19200 Main Street

### COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Graber
		Vice Chair Hudson			Saenz
		Cannon			Verrett

## I. Introduction

On August 13, 2007, the applicant submitted development plans to replace the existing 1,040 square-foot office trailer on the subject site with a new, 2,160 square-foot, three unit, pre-fabricated modular office building. A new raised concrete deck and 1,200 square-foot steel canopy (adjacent to the new building) is included in this proposal. This application was publicly noticed for the following discretionary permits:

- Relocation Review No. 3037 – Construction of a new, three unit, modular office trailer;
- Ordinance (Text) Amendment – To modify Section 9151.12, Uses Permitted on Organic Refuse Landfill Sites, of the CMC to allow for a permanent structure with an approved Conditional Use Permit (CUP), without requiring mitigation of the entire subject site - withdrawn by Staff (see *Issues of Concern: Text Amendment* for further details);
- Conditional Use Permit No. 671-07 – To authorize a permanent structure on an ORL (Organic Refuse Landfill) zoned property.

## II. Background

The subject property is located on the east side of Main Street, north of the 405 freeway and south of 182<sup>nd</sup> Street. The property is 29.7 acres in area, zoned SU-BP-D-ORL (Special Use – Blimp Port – Design Overlay – Organic Refuse Landfill), and located within Redevelopment Project Area No. 4. The site is part of the prior BKK landfill, which encompasses portions of the subject site, in addition to large swaths of property adjacent to the subject site. The site is zoned specifically for a blimp port and is currently owned and operated by Goodyear Tire and Rubber, which uses it as its blimp base of operations for the West Coast.

### *Surrounding Area*

The subject site is located adjacent a plant nursery to the north, the Victoria Golf Course to the east, Dominguez Channel to the south, and a tow-yard and industrial uses to the west across Main Street.

## III. Analysis

### Relocation Review No. 3035.55

A relocation review (RR) is required whenever a structure, including a mobile office trailer, is proposed to be relocated to a site with the City of Carson. According to section 9172.26, Relocation Review, a relocation development plan shall be submitted and approved before any grading permit, foundation permit, electrical permit, plumbing permit, building permit, or relocation permit is issued, or sign installed. CMC Section 9151.2(D)(12), SU-BP Zone, states that new development shall be subject to Site Plan and Design Review, pursuant to CMC Section 9172.23. However, CMC Section 9172.26, Relocation Review, states in cases where a proposed relocation is located within a D (Design Overlay) designated area, the RR procedure shall be considered as simultaneously satisfying the Site Plan and Design Review requirement. The Planning Commission may approve a relocation

development plan (relocation review) if it is able to make affirmative findings based on the following criteria:

- a). *The propose use and development will be consistent with the General Plan, any specific plans for the area, and surrounding uses.*

The subject property is identified as Public Facilities in the General Plan. Planning goals contained within the General Plan Land Use document include eliminating all evidence of property deterioration throughout Carson. By removing the dated office trailer and replacing it with a newer, modern looking office trailer, the development is helping to achieve General Plan goals and objectives.

- b). *Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance, age, and scale of structures and open spaces and other features relating to a harmonious and attractive development of the area.*

The proposed office trailer is 2,160 square feet in size and located at the same location on the subject parcel, approximately 55 feet from Main Street. The office trailer will consist of three, 12-foot wide modular units, seamlessly connected and constructed of aluminum panels finished in stucco with aluminum composite material fascia and trim. A 1,200 square foot canopy structure will be located adjacent to the east side of the new office building. This structure will provide shelter to people waiting for and watching the blimp. There is an existing 4,000 square foot maintenance building located approximately 40-feet from the new office building. It is constructed of similar material, but is not finished in stucco. However, it matches the color of the proposed office building. There is landscaping proposed for areas around the office trailer, including trees and shrubs, and grass covers the remainder of the site. The office trailer is seen from the public right-of-way, and will contribute to a harmonious and attractive development of the area.

- c). *Convenience and safety of circulation for pedestrians and vehicles.*

The development will be located on a small section of the 29 acre property, near the property line facing Main Street. There is adequate pedestrian and vehicular access from the driveway fronting Main Street which leads to a large parking area and a walkway to the office building.

- d). *Attractiveness, effectiveness and restraint in signing, graphics and color*

The proposed building is finished in white stucco, with navy blue stucco accents and navy blue aluminum composite material fascia board. Steel columns support the 1,200 square foot canopy structure. A 20-foot high wind sock mast and 40-foot high instrument mast will be located on the north side of the office building. The pole sign and large billboard will remain as is. The colors, graphics and signage are restrained, effective, and provide for an attractive development.

- e). *Development scheduling (if phased development) which will satisfy the above criteria in each phase*

The applicant does not intend to phase development.

- f). *Conformance to any applicable design standards and guidelines, which have been adopted pursuant to Section 9172.15.*

The proposed development conforms to applicable design standards and guidelines, provided the proposed text amendment is approved.

Conditional Use Permit No. 671-07: Construction of permanent structure on ORL-zoned property.

CMC Section 9151.12 states that an application for a CUP is required for all uses on areas designated as ORL, which are not specifically exempted in sub-section A of Section 9151.12. The development of a permanent structure is not listed as an exception, thus the CUP request. All CUP applications required by this Section, are subject to conditions listed in sub-section C, which include the following:

- a). Approval by the Building Official of the report provided for in sub-section A (which shall provide and include plans for a protective system or systems designed to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use);
- b). The applicant shall comply with a development schedule approved by the Community Development Director;
- c). All measures to eliminate or mitigate the hazards and environmental risks associated with the site proposed in the report approved by the Building Official (provided for in sub-section A) shall be subject to approval by the Council and shall be incorporated in to the project. Such measures shall include monitoring, evaluation and control of methane gas produced by the site as the City shall determine to be necessary to protect the public health, safety, or welfare with respect to the production or migration of methane gas;
- d). Monitoring and regular inspections and reports by a licensed civil engineer designated by the applicant and monitored, evaluated and approved by the Building Official shall be done and filed with the City from time to time as directed by the Building Official at the applicant's cost;
- e). The mitigation measures required by subsection (c) above, shall be implemented to the satisfaction of the Building Official and City Council. In the event that the Building Official or Council finds that such measures when implemented are inadequate to protect the public health, safety, or welfare, the Building Official or Council may (1) require additional mitigation measures to be incorporated in to the project, or (2) after notice to the applicant and an opportunity to be heard, declare the CUP null and void if the Council finds that the public health, safety, and welfare cannot be adequately protected to the satisfaction of the Council;
- f). Adequate measures shall be taken to eliminate odors from the site to the satisfaction of the Building Official;

- g). The applicant shall, at the applicant's expense, carry public liability insurance during the existence of the CUP, with a company and policy to be approved by the City Attorney, covering liability for injuries or death arising out of or in connection with the use of the site pursuant to said permit in an amount not less than \$5,000,000. The City shall be named as an additional assured under such insurance policy.

The applicant has provided documentation of existing landfill areas on the subject site. The proposed building area does not occupy space over the previous landfill. Regular reports for the existing office buildings are prepared by the applicant's engineer and provided to the Building Official. The most current report is included as Exhibit No. 5. These reports provide information gathered from monitoring of the presence of subsurface landfill-generated methane gas at the existing office and maintenance buildings. The latest report indicates that gas control facilities were performing satisfactorily at the time of testing. The maintenance building appeared to be adequately protected from migrating landfill-generated methane gas and was safe to occupy with respect to such gas. The sub-slab of the existing buildings onsite are fit with methane monitoring equipment, as well as the roof vents. In the latest report, test results indicated that no methane above the instrument detection limits (0.1 per cent by volume) were detected at any of the probes or vents.

The proposed building will occupy a space approximately two times larger than the existing office area. However, the overall footprint of the existing development, including cement areas, canopy structure area, and courtyard will not be increased. Building and Safety has mandatory mitigation measures that must be implemented for all new development when on, or within proximity of, landfill areas. As such, the applicant will be required to implement these mitigation measures, which include the additional conditions listed above.

In addition to CUP requirements found in CMC Section 9151.12, the following mandatory findings must be made to approve a CUP, pursuant to CMC Section 9171.21:

- a). *The proposed use and development will be consistent with the General Plan*  
The General Plan Land Use Element calls for the elimination of deteriorating buildings and the revitalization of existing properties. By replacing the existing office structure with a newer and more modern looking facility, the development will be consistent with the goals and objectives of the General Plan.
- b). *The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development*  
The project site is 29 acres in area, flat, and diamond-shaped. The blimp port is located in the center of the property with the maintenance and office buildings along the western property line, fronting Main Street. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.

- c). *There will be adequate street access and traffic capacity*  
The property is accessed from Main Street by a driveway on the north side of the office building. Main Street is considered a major street and is a sufficient width to accommodate the level of traffic generated by the proposed building.
- d). *There will be adequate water supply for fire protection*  
There are fire hydrants in the vicinity and sufficient access for fire department equipment and personnel in the event of an emergency.
- e). *The proposed use and development will be compatible with the intended character of the area*  
The proposed building is to be used for administrative offices to support blimp activities and other corporate office functions for Goodyear Tire and Rubber. The zoning of the property is SU-BP-D-ORL, specifically intended for a blimp port. Thus, the proposed use is compatible with the intended character of the area.
- f). *Such other criteria as are specified for the particular use in other Sections of this Chapter*  
CMC Section 9153, Conditional Use Criteria, requires that the use shall not detract from the intended open space character of the area. The office is a perfunctory accessory use to the main blimp port use. As such, it does not deter the open space character of the area, and is consistent with the intent of the open space zone.

*Issue of Concern: Text Amendment Application Withdrawal*

The applicant initially applied for a text amendment requesting staff to assess the feasibility of adding a code section to CMC 9151.12, to allow for permanent structures to be constructed on an ORL-zoned property without requiring full environmental remediation of the subject site. Previous interpretations of the zoning code concerning permanent construction on ORL-zoned properties have resulted in the full environmental remediation of the subject property prior to development. Past development on these types of properties necessitated full environmental remediation due to the magnitude of the proposed projects, which typically involved development on more than half of the property. In this case, staff withdrew the text amendment application on the basis that the existing zoning requirements are sufficient to mitigate known environmental issues associated with the proposed development. The applicant is working with Los Angeles County and the Division of Toxic Substances Control in their assessment and monitoring of the entire BKK landfill, in which portions of the subject property are contained. Conditions of approval have been added to the attached resolution which require compliance with all applicable zoning code requirements concerning construction of permanent structures on an ORL-zoned property, and compliance with Building and Safety requirements to furnish monitoring reports.

MITIGATION: None.

**IV. Environmental Review**

Based upon analysis of the Initial Study and potential environmental impacts resulting from the proposed project, a Negative Declaration has been prepared, pursuant to CEQA regulations. The 20-day period for public review and comment on this Negative Declaration ended February 26, 2008. No comments have been received by the Planning Department regarding the Negative Declaration..

**VI. Recommendation**

That the Planning Commission:

- **ADOPT** the Negative Declaration;
- **APPROVE** Relocation Review No. 3037;
- **RECOMMEND** approval of Conditional Use Permit No. 671-07 to the City Council;
- **WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_, entitled "A Resolution of the Planning Commission of the City of Carson approving Relocation Review No. 3037 and recommending approval of Conditional Use Permit No. 671-07 to the City Council to permit the construction of a pre-fabricated office building on an Organic Refuse Landfill designated property located at 19200 Main Street."

**VII. Exhibits**

1. Site Plan, Floor Plan, Elevations (under separate cover)
2. Land Use Map
3. Resolution
4. Initial Study and Negative Declaration
5. SCS Field Services Subsurface Landfill-Generated Methane Gas Monitoring Report to City of Carson Building Official, Dated October 19, 2007

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