



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: October 14, 2008

SUBJECT: Modification of Conditions for Variance No. 500-08

APPLICANT: Tetra Tech, Inc.
 Attention: Javier Weckman
 20400 S. Main Street
 Carson, CA 90745

REQUEST: A modification to Condition No. 8 in Resolution No.
 08-2229 approving Variance No. 500-08

PROPERTY INVOLVED: 20400 South Main Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Faletogo - Chairperson			Garber
		Saenz – Vice-Chair			Verrett
		Cannon			

Item No. 9C

I. Introduction

The applicant, Tetra Tech, Inc., is requesting a variance from Section 5500 et al. (LA County Section 12.08.440B1 b) of the Noise Ordinance to allow construction noise to exceed the limits for a period up to 2 years. As part of the remediation and construction of the site, piles must be driven through the waste to solid ground for the construction of the buildings. An Environmental Impact Report was prepared and approved for the Carson Marketplace, now known as The Boulevards at South Bay, (SCH #2005051059) which analyzed the impact of the construction noise and identified mitigation measures.

II. Background

On September 23, 2008, the Planning Commission held a public hearing and voted to approve Variance No. 500-08 with conditions reducing the hours of operation. The Planning Commission approved 7 AM to 7 PM Monday through Saturday with no operation on Sunday. The Noise Ordinance allows hours of operation to be 7 AM to 8 PM Monday through Saturday with no work on Sunday. The certified EIR for the project, however, limits the hours to 7 AM to 6 PM Monday through Saturday with no work on Sunday. The Commission Resolution has been changed to reflect the shorter hours allowed in the EIR.

The issue of notification to the mobile home parks was also raised at the hearing. The residents in all three mobile home parks were notified along with all residents with 500 feet of the site. A total of 2,358 notices were mailed.

III. Recommendation


That the Planning Commission:

- APPROVE Modification No. 1 to modify Condition No. 8 to Variance No. 500-08; and
- ADOPT a minute resolution modifying Condition No. 8 to Variance No. 500-08

IV. Exhibits

1. Planning Commission Resolution No. 08-2229

Prepared by: 
Chris Ketz, Consultant

Approved by: 
Sheri Repp Loadsman, Planning Manager



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-2229

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING VARIANCE NO. 500-
08 ALLOWING THE CONSTRUCTION NOISE FROM THE
BOULEVARDS AT SOUTH BAY TO EXCEED SECTION
5500 ET AL. (LA COUNTY CODE SECTION 12.08.40B1 b)
OF THE NOISE ORDINANCE LOCATED AT 20400 MAIN
STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON HEREBY FINDS,
RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Tetra Tech, Inc. with respect to the real property located at 20400 Main Street, Carson, California. The area is shown in Exhibit "A" attached hereto. The application requests approval of Variance No. 500-08. The property is currently undergoing remediation of the 157 acres landfill under the direction of the Department of Toxic Substances Control (DTSC). The 11 acres north of Del Amo Boulevard is not on landfill.

Section 2. A duly noticed public hearing was held on September 23, 2008, at 6:30 P.M. at the City Hall Council Chambers, 701 East Carson Street, Carson, California. A notice of the time, place and purpose of the aforesaid meetings was duly given.

Section 3. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 4. The Planning Commission finds that:

- a) The General Plan Land Use Map designates the area for mixed-use residential use. The zoning is Carson Marketplace Specific Plan. The proposed use will be a mixed use commercial/residential project. There will be 1.25 million square feet of commercial use, 1550 residential units and 300 hotel rooms. The proposed use is in conformance with the General Plan and Zoning.
- b) Carson Marketplace Specific Plan No. 10-05 was approved on February 8, 2006, Ordinance No. 06-1341.
- c) Section 5500 et al. (LA County Code Section 12.08.580) of the Carson Noise Ordinance gives the authority to the Planning Commission to grant a variance from the requirements of this Chapter for a period not to exceed two years, subject to terms, conditions and requirements as may be reasonable under the circumstances.
- d) The Carson Redevelopment Agency certified the Carson Marketplace Final Environmental Impact Report (State Clearinghouse No.



2005051059), adopted the Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program on February 8, 2006.

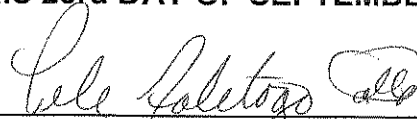
- e) The Statement of Overriding Considerations acknowledges that there will be noise impacts during construction that will be adverse. The Carson Redevelopment Agency found that the benefits of the Project outweigh the unavoidable adverse environmental effects and found that the unavoidable adverse impacts were acceptable.
- f) The construction on this site is unique in that the site must be remediated and all the buildings and structures must be on piles in order to safely build on a former landfill. Even though all feasible mitigation measures will be implemented a variance from the Noise Ordinance is necessary in this case.
- g) Additional time is necessary for the applicant to complete this phase of the construction and remediation.
- h) The activity, operation or noise source cannot feasibly be done in a manner that would comply with the provisions of Noise Ordinance, and no reasonable alternative is available to the applicant.

Section 5. Based on all evidence presented at the meeting and the aforementioned findings, the Planning Commission hereby adopts Variance No. 500-08, subject to the conditions set forth in attached Exhibit B.

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.

Section 7. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF SEPTEMBER, 2008.



PLANNING COMMISSION CHAIR

ATTEST:



SECRETARY

