



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: February 24 2009

SUBJECT: Case No. 74-08: Appeal of Director's Determination of Termination Date of Existing Non-Conforming Use

APPLICANT: TST Metals, Inc.  
2032 E. 220<sup>th</sup> Street  
Carson, CA 90810

REPRESENTATIVE: Michael C. Baum, Esq.  
Resch, Polster, Alpert & Berger, LLP  
9200 Sunset Boulevard, 9<sup>th</sup> Floor  
Los Angeles, CA 90067

REQUEST: Appeal the Director's determination regarding the termination date for an existing, non-conforming scrap metal yard and processing facility.

PROPERTY INVOLVED: 2020-2032 E. 220<sup>th</sup> Street

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### COMMISSION ACTION

- Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chair - Faletogo			Cannon
		Vice Chair - Saenz			Gordon
		Brimmer			Graber
		Brown			Verrett

***Item No.***

**I. Introduction**

The applicant wishes to appeal the Director's determination of the termination date specified for TST Metals, an existing, non-conforming scrap metal yard and processing facility ("Facility"), currently operating on approximately 4.5 acres located at 2020-2032 E. 220<sup>th</sup> Street, on the south side of 220<sup>th</sup> Street, just west of Wilmington Avenue. The Director's determination was received by the applicant on October 8, 2008. An appeal request was submitted to the City Clerk on October 22, 2008, within 15 days of receiving the Director's determination, consistent with requirements found in Section 9173.4 of the Carson Municipal Code.

On November 24, 2008, the Planning Commission unanimously approved a motion to continue until January 13, 2009. In that report, staff noted that additional information was submitted by the applicant on January 8, 2009, which was incorrect since the applicant was unable to forward the necessary information. Based upon this assumption, staff requested that the Planning Commission continue the public hearing until February 24, 2009. The additional information was submitted to the Planning Division on February 5, 2009. It is anticipated that the applicant will need to conduct further research and as such, this matter is again requested for continuance.

The applicant wishes to meet with staff to discuss this new information prior to bringing the appeal request before the Planning Commission. Therefore, they have requested another continuance. Because the time it will take for staff to meet and confer with the applicant regarding this information is unknown, which may result in additional continuance requests if continued to a date specific, staff recommends this item be indefinitely continued and that a new public hearing notice be posted and mailed when a new date, agreed upon by staff and the applicant, is set. The appeal will be held in abeyance until such time that the public hearing is considered by the Planning Commission.

**II. Recommendation**

That the Planning Commission:

- **OPEN** the Public Hearing;
- **TAKE** Public Testimony; and,
- **CONTINUE** the Public Hearing indefinitely.

**III. Exhibits**

None

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

Steven C. Newberg, AICP, Associate Planner

Reviewed and Approved by: \_\_\_\_\_

Sheri Repp, Planning Manager

sn: AofDD7408