

CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:	July 22, 2014
SUBJECT:	Conditional Use Permit No. 953-14
APPLICANT:	ProLogis Attention: John Low 2817 E. Cedar Street Ste 200 Ontario, CA 91761
OWNER:	ProLogis Targeted U.S. Logistics Fund, L.P. 2817 E. Cedar St. Ste. 200 Ontario, CA 91761
REQUEST:	To operate a trailer storage and truck yard use in the MH (Manufacturing, Heavy) zone district.
PROPERTY INVOLVED:	21038 South Wilmington Avenue
	COMMISSION ACTION
Concurred with staff	
Did not concur with staff	
Other	
	COMMISSIONERS' VOTE

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		Goolsby			

I. Introduction

Date Application Received

January 7, 2014: Conditional Use Permit No. 953-14

Applicant

 ProLogis; Attention: John Low; 2817 E. Cedar Street Ste 200; Ontario, CA 91761

Property Owner

 ProLogis Targeted U.S. Logistics Fund, L.P.; 2817 E. Cedar St. Ste. 200; Ontario, CA 91761

Project Address

21038 South Wilmington Avenue

Project Description

Operation of a trailer storage and truck yard use in the MH (Manufacturing, Heavy) zone district. Several shading structures, mechanical equipment, and a rail spur will be removed. Three buildings totaling 11,547 square feet will remain and will be used for the trailer storage and truck yard operation. Approximately 315 truck parking spaces will be added. Site improvements include a 25-foot-wide front yard landscape area, a new truck yard screening wall and gate, and a trash enclosure.

II. Background

Current Use of Property

The property is currently vacant but was previously used by Hunter Woodworks, Inc. as a wood product facility since 1980.

Previously Approved Discretionary Permits

The Planning Commission approved Design Overlay Review No. 862-04, Conditional Use Permit No. 578-04 and Conditional Use Permit No. 579-04 for a wireless telecommunications facility (monopine) on September 28, 2004. A modification to the monopine was approved in 2010 and a second modification is pending.

Public Safety Issues

The Public Safety Department has not reported any current code enforcement cases associated with this property.

Ordinance for Truck Yard/Truck Terminals

On January 21, 2003, the City Council approved a moratorium prohibiting the establishment of new truck yards or truck terminals in the manufacturing zones without the issuance of a conditional use permit. The City Council found that based on the City's experience with existing truck yard and truck terminal businesses, the

operation of these types of uses could result in adverse impacts on adjacent properties and the surrounding community. On December 21, 2004, an ordinance for truck yard/truck terminals was approved by the City Council. Per the ordinance, a conditional use permit is required for truck yards in the Manufacturing Heavy zone.

III. Analysis

Location/Site Characteristics/Existing Development

The subject property is located at 21038 Wilmington Avenue in the eastern part of the City between Del Amo Boulevard and 213th Street. The 10-acre site is generally flat and accessed by Wilmington Avenue to the west. Adjacent to the subject property are industrial properties to the north, south, east, and west. A residential neighborhood is located approximately 700 feet to the southwest on the other side of Wilmington Avenue. The 405 Freeway is located less than a mile to the south via Wilmington Avenue.

Zoning/General Plan/Redevelopment Area Designation

The subject property is zoned MH (Manufacturing, Heavy) and properties to the north, south and east share the same zoning designation. Properties to the west across Wilmington Avenue are zoned ML-D (Manufacturing, Light – Design Overlay). The subject property and all adjacent properties have General Plan Land Use designations of Heavy and Light Industrial.

Applicable Zoning Ordinance Regulations

Pursuant to Section 9148.9, the existing truck yard requires approval of a Conditional Use Permit subject of the requirements of Section 9148.9.

The following table summarizes the proposed project's consistency with current site development standards for the MH zone district and other zoning code sections applicable to this type of proposed use:

Applicable Zoning Ordinance Sections	Compliance	Non-Compliance
Section 9141.1 – Uses Permitted		Subject to approval of a Conditional Use Permit by the Planning Commission
Section 9145.3 – Street Frontage and Access	Х	
Section 9146.12 – Height of Buildings and Structures	X	
Section 9146.23 – Front Yard	X	
Section 9146.24 – Side Yard	X	
Section 9146.25 – Rear Yard	Х	
Section 9146.27 – Space Between Buildings	X	

Section 9146.3 – Fences, Walls and Hedges	Х	
Section 9146.4 – Trash and Recycling Areas	Х	
Section 9146.6 – Parking, Loading, Truck Maneuvering and Driveways	Х	
Section 9146.9 – Site Planning and Design	Х	
Section 9148.9 – Truck Terminal and Truck Yard Facilities		See Issues of Concern – Mitigation
Division 7 – Environmental Effects	Х	
Section 9162.5 – Perimeter Guards		See Issues of Concern – Mitigation
Section 9162.62 – Design Standards for Truck Loading Facilities, Maneuvering Areas, and Parking and Stacking Spaces	Х	
Part 6 – General Development Standards	X	

Truck Yard Findings

The following are the required findings necessary for the approval of a conditional use permit for the proposed truck yard:

- a. The proposed use and development will be consistent with the General Plan.
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be 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 (Zoning Ordinance).

The proposed yard meets all the findings for the conditional use permit identified above. The required findings are supported in the attached resolution.

Issues of Concern / Mitigation:

- Section 9148.9 Truck Terminal and Truck Yard Facilities
 - <u>Issue Proposed / Future Development</u>: It is staff's opinion that the use proposed is not compatible with anticipated development for the area and would not create a high amount of employment for such a large site. There are currently several roadway improvements throughout the City, including the 405 Freeway/Wilmington interchange which is in close proximity to the subject site, and truck-intensive uses in the area would be contrary to the City's goals for improvement. However, staff believes a truck yard at the subject site could be supported if limited to a maximum of 5 years. Afterwards, the applicant could request an extension of time through the Planning Commission if a suitable permanent user has not been found. The extension would be subject to satisfaction of conditions and compliance with development standards.
 - <u>Issue Hours of Operation:</u> To mitigate impacts on the residential areas to the south of the property, staff recommends that on-site activities and truck trips to and from the property be limited to the hours between 7:00 a.m. and 9:00 p.m. daily.
 - <u>Issue Truck Routes:</u> To minimize impacts on the nearby residential areas, staff recommends that the applicant direct much or all traffic north on Wilmington Avenue and east on Del Amo Boulevard. The proposed truck trip distribution is depicted in Figure 3 of the attached Traffic Analysis (Exhibit No. 2) provided by the applicant.
- Section 9162.55 Perimeter Guards
 - The applicant is required to provide perimeter guards (bumper guards, wheel stops, concrete curbing, bollards) for all truck and auto parking spaces.
- Fire Department Requirements and Approval
 - The applicant is currently working with the Fire Department to obtain clearance.
 Staff has included a general condition requiring the applicant to complete Fire Department requirements prior to operating the use.

IV. Conclusion

It is staff's opinion that the subject property is not the optimal location for a truck yard because of its close proximity to residences and the possibility that newly improved intersections and street segments may be impacted due to the additional truck traffic. Staff has advised the applicant to seek a user that provides higher-paying jobs with less truck traffic. The approval of this CUP for a maximum of five years would give

the applicant time to seek another user while utilizing the property with an interim truck yard use.

V. <u>Environmental Review</u>

The proposed truck yard is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 – Replacement of Reconstruction.

VI. Recommendation

That the Planning Commission:

WAIVE further reading and ADOPT the proposed resolution.

VII. Exhibits

- 1. Land use map
- 2. Traffic Analysis dated May 13, 2014
- 3. Proposed Resolution
- 4. Site Plan, Elevations (C-1, D-1)

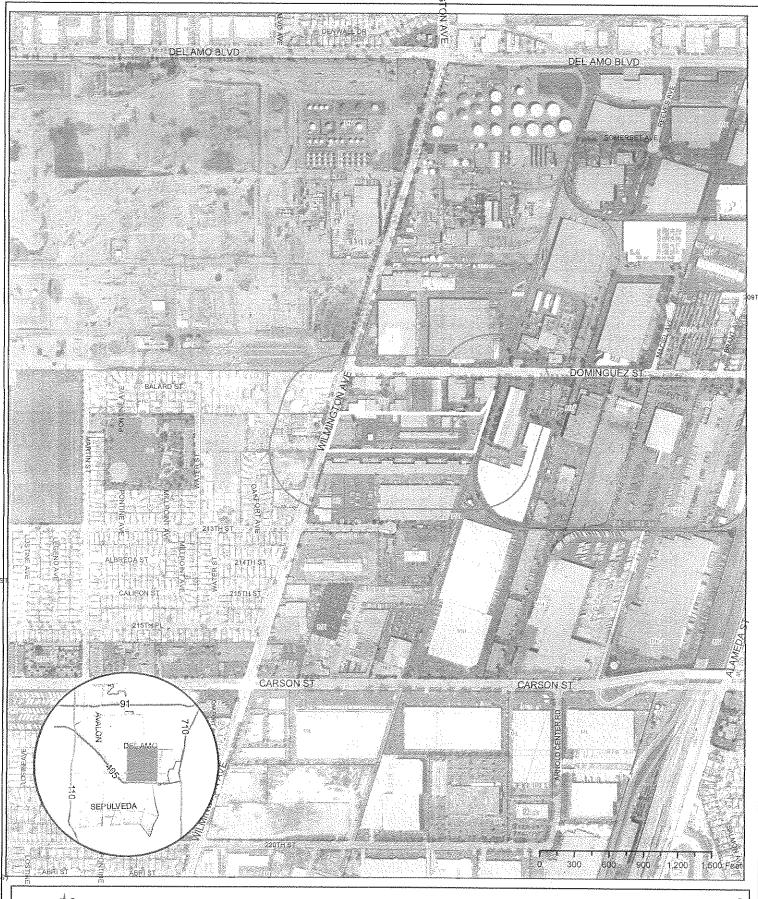
Prepared by:

Max Castillo, Assistant Planner

Reviewed and Approved by:

John F. Signo, AICP, Acting Planning Manager

MC/c95314_21038Wilmington_p





City of Carson EXHIBIT NO. 0 1
500 Foot Radius Map
21038 S. Wilmington Avenue

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KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

May 13, 2014

Mr. John Low, Vice President PROLOGIS 2817 East Cedar Street, Suite 200 Ontario, CA 91761

Dear Mr. Low:

INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to provide this trip generation comparison for the 21038 South Wilmington Avenue project in the City of Carson. The location map for the project site is shown on Figure 1.

Although this is a technical report, every effort has been made to write the report clearly and concisely. To assist the reader with those terms unique to transportation engineering, a glossary of terms is provided within Appendix A.

DEVELOPMENT DESCRIPTION

Previously, the project site was occupied by Hunter Woodworks, Inc. It operated a wood product operation on the site since 1980 but has recently vacated the project site. Their products consisted of wooden pallets, skids, boxes, crates, and cut stock. Based upon a discussion with Hunter Woodworks, Inc. staff, the number of employees reached 150 at the previous facility.

The proposed project consists of a trailer storage use on the approximately 10 acre site. The conceptual site plan is illustrated on Figure 2.

The truck trip distribution is depicted on Figure 3. Trucks will be directed north on Wilmington Avenue and east on Del Amo Boulevard.

PREVIOUS PROJECT TRIP GENERATION

The trips generated by the project are determined by multiplying an appropriate trip generation rate by the quantity of land use. Trip generation rates are predicated on the assumption that energy costs, the availability of roadway capacity, the availability of vehicles to drive, and life styles remain similar to what are known today. A major change in these variables may affect trip generation rates.

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1111 Town & Country Road, Suite 34 Orange, California 92868 (714) 973-8383

EXHIDIT NO. 17

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Mr. John Low, Vice President PROLOGIS May 13, 2014

Trip generation rates were determined for daily traffic, morning peak hour inbound and outbound traffic, and evening peak hour inbound and outbound traffic for the previous project land use. By multiplying the trip generation rates by the land use quantity, the traffic volumes are determined. Table 1 shows the project trip generation rates, project peak hour volumes, and project daily traffic volumes for the previous project land use. The trip generation rates are from the Institute of Transportation Engineers, Trip Generation, 9th Edition, 2012.

The previous project is projected to generate approximately 999 daily vehicle trips, 142 of which will occur during the morning peak hour and 135 of which will occur during the evening peak hour (see Table 1).

PROPOSED PROJECT TRIP GENERATION

The applicant provided four (4) locations with similar trailer storage uses in the study area vicinity. The similar locations are shown on Figures 4 to 7 for locations in the Cities of Long Beach and Compton.

Kunzman Associates, Inc. obtained 24-hour traffic counts at the similar locations for an average weekday (Thursday, December 12, 2013). The traffic count worksheets are included in Appendix B. The 24-hour traffic counts have been disaggregated into peak hour and daily trip generation rates by acre as shown in Table 2.

Based upon the trailer storage use trip generation rates for the approximately 10 acre project site, the proposed project is projected to generate approximately 1,683 daily vehicle trips, 113 of which will occur during the morning peak hour and 100 of which will occur during the evening peak hour (see Table 2).

CONCLUSIONS

Trip generation comparison calculations are depicted in Table 3. The difference in vehicle trips and percent difference in vehicle trips are calculated between the previous and proposed land uses.

The proposed project compared to the previous project is projected to generate approximately 684 more daily vehicle trips, 29 less of which will occur during the morning peak hour and 35 less of which will occur during the evening peak hour. The proposed project compared to the previous project is projected to generate approximately 68.5 percent more daily vehicle trips, 20.4 percent less of which will occur during the morning peak hour and 25.9 percent less of which will occur during the evening peak hour.

The proposed project is not projected to add 50 or more new trips to any peak travel direction to or from the site during the peak hours.



Mr. John Low, Vice President PROLOGIS May 13, 2014

It has been a pleasure to service your needs on this project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 973-8383.

Sincerely,

KUNZMAN ASSOCIATES, INC.

Carl Ballard, LEED GA Principal Associate

#5546

KUNZMAN ASSOCIATES, INC.

William Kunzman, P.E.

Principal

Table 1
Previous Project Trip Generation¹

PROFESSIONAL SEASON IN CONTRACTOR AND AN ARTHUR SEASON AND AN ARTHUR SEASON AND ARTH					Peak	Hour				
A A A A A A A A A A A A A A A A A A A				Morning Evening						
Land Use ²	Quantity	Units ³	Inbound	Outbound	Total	Inbound	Outbound	Total	Daily	
Trip Generation Rates										
Hunter Woodworks, Inc.		EMP	0.69	0.25	0.94	0.40	0.50	0.90	6.66	
<u>Trips Generated</u>										
Hunter Woodworks, Inc.	150	EMP	104	38	1,42	60	75	135	999	



¹ Source: Per City of Carson staff, the upper range rates were used from the Institute of Transportation Engineers, <u>Trip Generation</u>, 9th Edition, 2012, Land Use Category 812.

² Based upon a discussion with Hunter Woodworks, Inc. staff, the number of employees reached 150 at the previous facility.

³ EMP = Employees

Table 2
Proposed Project Trip Generation

	T	INCESSION/COCONDAC	CONTROL CO.		Peak	Hour			Section of the sectio
	E .			Morning			Evening		
Descriptor	Quantity	Units ¹	Inbound	Outbound	Total	Inbound	Outbound	Total	Daily
Similar Land Use Trips Counted ²									
1 1450 W. Dominguez Street, Long Beach, CA	4.500	AC	12	11	23	15	20	35	399
2 21900 S. Alameda Street, Long Beach, CA	4.100	AC	9	11	20	4	2	6	309
3 2201 S. Santa Fe Avenue, Compton, CA	3.900	AC	15	17	32	15	17	32	463
4 1601 S. Anderson Avenue, Compton, CA	2.500	AC	12	22	34	12	13	25	507
Trip Generation Rates (per Acre)									
1 1450 W. Dominguez Street, Long Beach, CA		AC	2.67	2.44	5.11	3.33	4.44	7.77	88.67
2 21900 S. Alameda Street, Long Beach, CA	-	AC	2.20	2.68	4.88	0.98	0.49	1.47	75.37
3 2201 S. Santa Fe Avenue, Compton, CA	LINOTH SECTION	AC	3.85	4.36	8.21	3.85	4.36	8.21	118.72
4 1601 S. Anderson Avenue, Compton, CA		AC	4.80	8.80	13.60	4.80	5.20	10.00	202,80
Summary of Trip Generation Rates (per Acre)				-					
Mean			3.38	4.57	7.95	3.24	3.62	6.86	121.39
Standard Deviation			1.1.7	2.95	4.12	1.62	2.12	3.74	57.22
90% Confidence Interval	4.3	7.0	11,3	4.6	5.4	10.0	168.25		
Proposed Project Trip Generation									
21038 S. Wilmington Avenue	10	AC	43	70	113	46	54	100	1,683



¹ AC = Acres

 $^{^{2}}$ The traffic counts were conducted for Kunzman Associates, Inc. in December 2013 (see Appendix B),

Table 3

Trip Generation Comparison

					Peak	Hour				
and the second			VIII.	Morning Evening						
Land Use	Quantity	Units ¹	Inbound	Outbound	Total	Inbound	Outbound	Total	Daily	
Previous Project ²	150	EMP	104	38	142	60	75	135	999	
Proposed Project ³	10	AC	43	70	113	46	54	100	1,683	
Difference			-61	+32	-29	-14	-21	-35	+684	
Percent Difference			-58.7%	+84.2%	-20.4%	-23.3%	-28.0%	-25.9%	+68.5%	

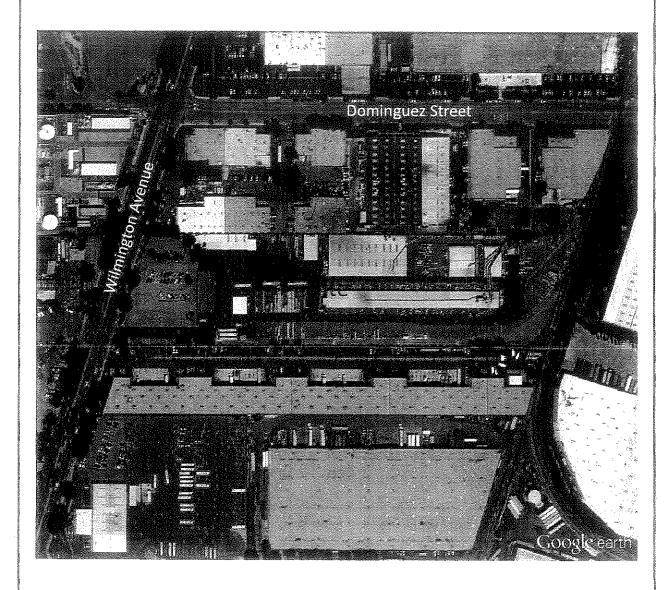


¹ EMP = Employees; AC = Acres

² See Table 1.

³ See Table 2.

Figure 1 Project Location Map



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Kunzman Associates, Inc.

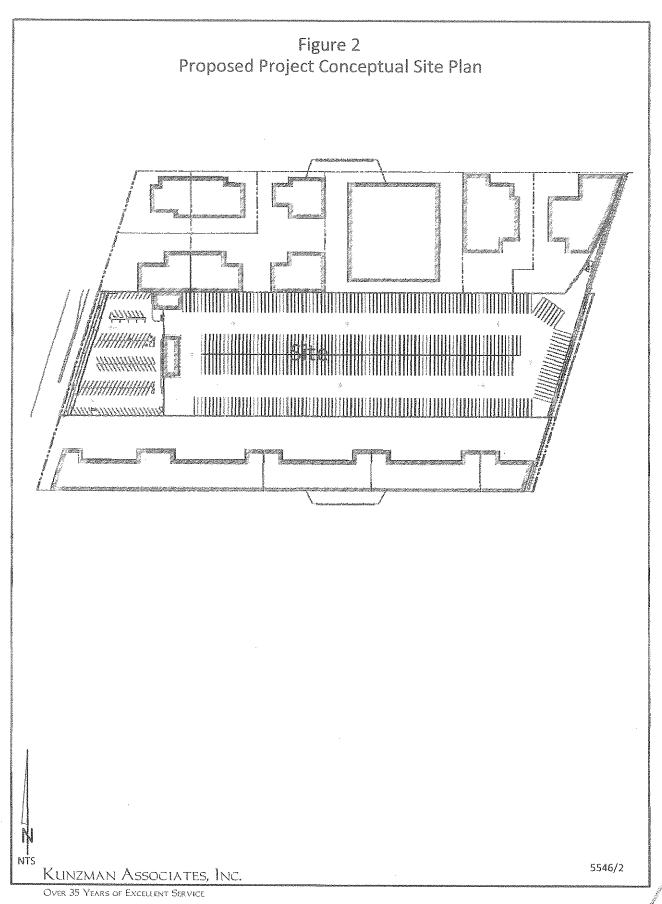


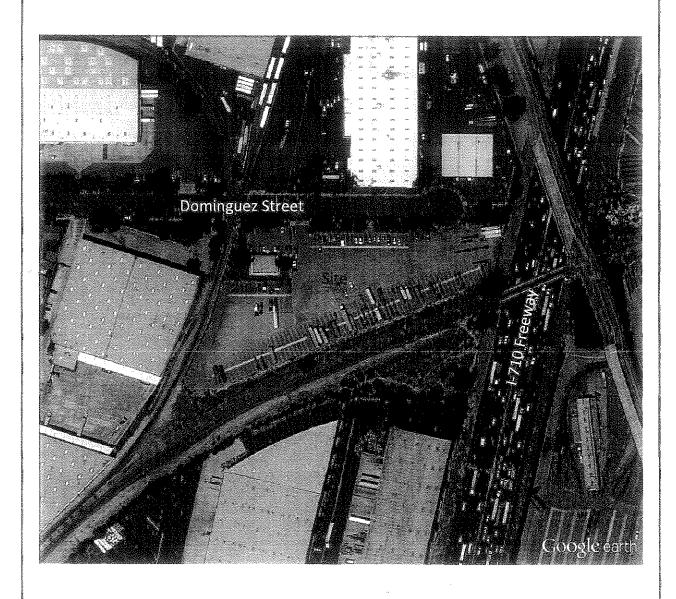
Figure 3
Project Trip Distribution - Trucks



Z Z

Kunzman Associates, Inc.

Figure 4
1450 West Dominguez Street, Long Beach, CA - Location Map



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Kunzman Associates, Inc.

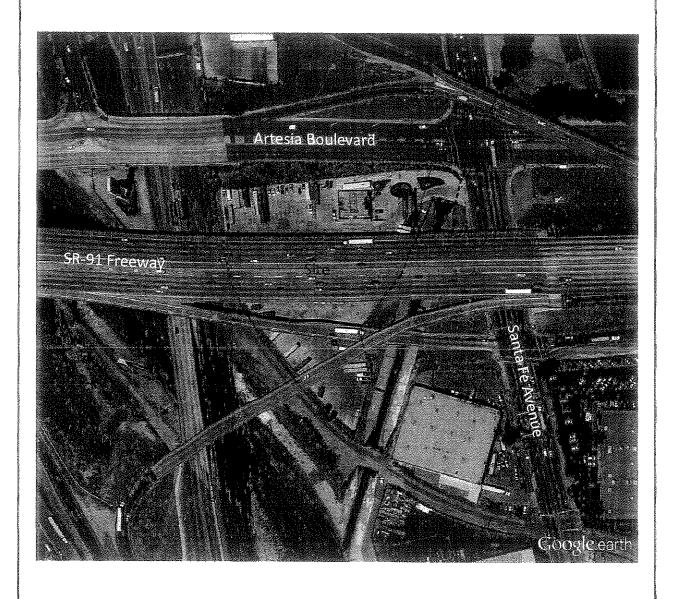
Figure 5 21900 South Alameda Street, Long Beach, CA - Location Map



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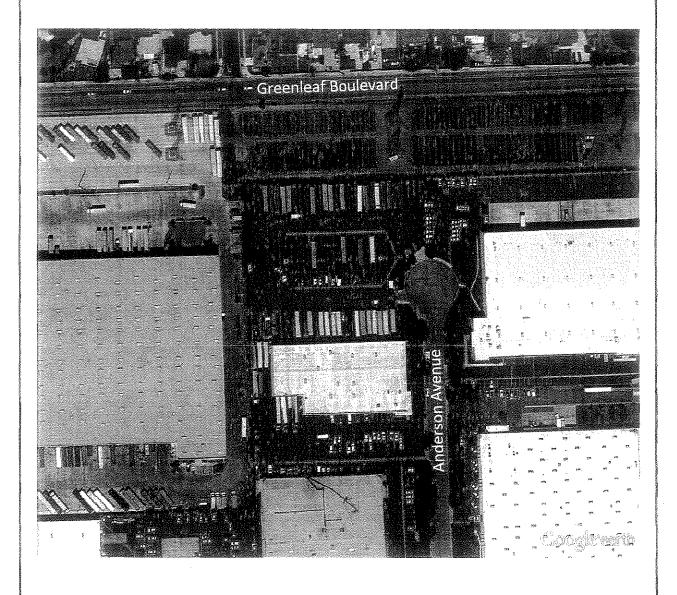


Figure 6
2201 South Santa Fe Avenue, Compton, CA - Location Map



Kunzman Associates, Inc.

Figure 7 1601 South Anderson Avenue, Compton, CA - Location Map



Charles Charles

KUNZMAN ASSOCIATES, INC.

APPENDIX A

Glossary of Transportation Terms

GLOSSARY OF TRANSPORTATION TERMS

COMMON ABBREVIATIONS

AC:

Acres

ADT:

Average Daily Traffic

Caltrans:

California Department of Transportation

DU:

Dwelling Unit

ICU:

Intersection Capacity Utilization

LOS:

Level of Service

TSF:

Thousand Square Feet

V/C:

Volume/Capacity

VMT:

Vehicle Miles Traveled

TERMS

AVERAGE DAILY TRAFFIC: The total volume during a year divided by the number of days in a year. Usually only weekdays are included.

BANDWIDTH: The number of seconds of green time available for through traffic in a signal progression.

BOTTLENECK: A constriction along a travelway that limits the amount of traffic that can proceed downstream from its location.

CAPACITY: The maximum number of vehicles that can be reasonably expected to pass over a given section of a lane or a roadway in a given time period.

CHANNELIZATION: The separation or regulation of conflicting traffic movements into definite paths of travel by the use of pavement markings, raised islands, or other suitable means to facilitate the safe and orderly movements of both vehicles and pedestrians.

CLEARANCE INTERVAL: Nearly same as yellow time. If there is an all red interval after the end of a yellow, then that is also added into the clearance interval.

CORDON: An imaginary line around an area across which vehicles, persons, or other items are counted (in and out).

CYCLE LENGTH: The time period in seconds required for one complete signal cycle.

CUL-DE-SAC STREET: A local street open at one end only, and with special provisions for turning around.



DAILY CAPACITY: The daily volume of traffic that will result in a volume during the peak hour equal to the capacity of the roadway.

DELAY: The time consumed while traffic is impeded in its movement by some element over which it has no control, usually expressed in seconds per vehicle.

DEMAND RESPONSIVE SIGNAL: Same as traffic-actuated signal.

DENSITY: The number of vehicles occupying in a unit length of the through traffic lanes of a roadway at any given instant. Usually expressed in vehicles per mile.

DETECTOR: A device that responds to a physical stimulus and transmits a resulting impulse to the signal controller.

DESIGN SPEED: A speed selected for purposes of design. Features of a highway, such as curvature, superelevation, and sight distance (upon which the safe operation of vehicles is dependent) are correlated to design speed.

DIRECTIONAL SPLIT: The percent of traffic in the peak direction at any point in time.

DIVERSION: The rerouting of peak hour traffic to avoid congestion.

FORCED FLOW: Opposite of free flow.

FREE FLOW: Volumes are well below capacity. Vehicles can maneuver freely and travel is unimpeded by other traffic.

GAP: Time or distance between successive vehicles in a traffic stream, rear bumper to front bumper.

HEADWAY: Time or distance spacing between successive vehicles in a traffic stream, front bumper to front bumper.

INTERCONNECTED SIGNAL SYSTEM: A number of intersections that are connected to achieve signal progression.

LEVEL OF SERVICE: A qualitative measure of a number of factors, which include speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and operating costs.

LOOP DETECTOR: A vehicle detector consisting of a loop of wire embedded in the roadway, energized by alternating current and producing an output circuit closure when passed over by a vehicle.

MINIMUM ACCEPTABLE GAP: Smallest time headway between successive vehicles in a traffic stream into which another vehicle is willing and able to cross or merge.

MULTI-MODAL: More than one mode; such as automobile, bus transit, rail rapid transit, and bicycle transportation modes.

OFFSET: The time interval in seconds between the beginning of green at one intersection and the beginning of green at an adjacent intersection.

PLATOON: A closely grouped component of traffic that is composed of several vehicles moving, or standing ready to move, with clear spaces ahead and behind.

ORIGIN-DESTINATION SURVEY: A survey to determine the point of origin and the point of destination for a given vehicle trip.

PASSENGER CAR EQUIVALENTS (PCE): One car is one Passenger Car Equivalent. A truck is equal to 2 or 3 Passenger Car Equivalents in that a truck requires longer to start, goes slower, and accelerates slower. Loaded trucks have a higher Passenger Car Equivalent than empty trucks.

PEAK HOUR: The 60 consecutive minutes with the highest number of vehicles.

PRETIMED SIGNAL: A type of traffic signal that directs traffic to stop and go on a predetermined time schedule without regard to traffic conditions. Also, fixed time signal.

PROGRESSION: A term used to describe the progressive movement of traffic through several signalized intersections.

SCREEN-LINE: An imaginary line or physical feature across which all trips are counted, normally to verify the validity of mathematical traffic models.

SIGNAL CYCLE: The time period in seconds required for one complete sequence of signal indications.

SIGNAL PHASE: The part of the signal cycle allocated to one or more traffic movements.

STARTING DELAY: The delay experienced in initiating the movement of queued traffic from a stop to an average running speed through a signalized intersection.

TRAFFIC-ACTUATED SIGNAL: A type of traffic signal that directs traffic to stop and go in accordance with the demands of traffic, as registered by the actuation of detectors.

TRIP: The movement of a person or vehicle from one location (origin) to another (destination). For example, from home to store to home is two trips, not one.

TRIP-END: One end of a trip at either the origin or destination; i.e. each trip has two trip-ends. A trip-end occurs when a person, object, or message is transferred to or from a vehicle.

TRIP GENERATION RATE: The quantity of trips produced and/or attracted by a specific land use stated in terms of units such as per dwelling, per acre, and per 1,000 square feet of floor space.

TRUCK: A vehicle having dual tires on one or more axles, or having more than two axles.

UNBALANCED FLOW: Heavier traffic flow in one direction than the other. On a daily basis, most facilities have balanced flow. During the peak hours, flow is seldom balanced in an urban area.

VEHICLE MILES OF TRAVEL: A measure of the amount of usage of a section of highway, obtained by multiplying the average daily traffic by length of facility in miles.

APPENDIX B

Traffic Count Worksheets

1450 W. Dominguez Street, Long Beach, CA



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5:15	3	0	0	0	3	1	0	0	1	2	5
5:30	4	0	0	0	4,	0	0	0	0	0	4
5:45	1	0	0	0	1	1	0	0	2	3	4
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21900 S. Alameda Street, Long Beach, CA

City of Long Beach 21900 S. Alameda Street, Long Beach, CA 12/12/2013 Thursday

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2201 S. Santa Fe Avenue, Compton, CA



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1601 S. Anderson Avenue, Compton, CA

City of Compton 1601 S. Anderson Avenue, Compton, CA 12/12/2013 Thursday

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City of Compton 1601 S. Anderson Avenue, Compton, CA 12/12/2013 Thursday

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CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 953-14 TO OPERATE A TRAILER STORAGE AND TRUCK YARD USE AT 21038 S. WILMINGTON AVENUE

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

Section 1. An application was duly filed by the applicant, ProLogis Targeted U.S. Logistics Fund, L.P, represented by John Low, with respect to real property located at 21038 South Wilmington Avenue and described in Exhibit "A" attached hereto, requesting the approval to operate a trailer storage and truck yard use in the MH (Manufacturing, Heavy) zone district.

A public hearing was duly held on July 22, 2014, at 6:30 P.M. at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. The Planning Commission finds that:

- a) The subject property is located within an industrial zone. The proposed truck yard is consistent with the General Plan Land Use Designation of Industrial and the MH (Manufacturing, Heavy) zone, which are intended to provide for a full range of industrial uses which are acceptable within the community. However, the site is in close proximity to a residential neighborhood and could have adverse impacts if allowed to continue long term. A condition has been included limiting the proposed use to five years unless extended by the Planning Commission.
- b) The size of the site is adequate to support the proposed use. The proposed area is fairly flat and rectangular shaped. The topography, size, shape, location, and utilities will not have a bearing on the proposed truck yard, therefore this finding can be made in the affirmative.
- c) The proposed truck yard will not have a bearing on street access and traffic capacity for the subject property, but could have an adverse impact if not reevaluated after five years. A condition has been included limiting the proposed use to five years unless extended by the Planning Commission.
- d) The proposed truck yard will not have a bearing on adequate water supply for fire protection for the subject property. Approval from the Fire Department is required prior to operation of the truck yard.
- e) The proposed use is compatible with the short-term development for the area. A condition has been included limiting the proposed use to five years unless extended by the Planning Commission.
- f) The truck yard operations and storage will be conducted within an area screened by fencing and landscaping. The truck yard will meet all the requirements of the Zoning Code with the identified conditions of approval.



<u>Section 3</u>. The Planning Commission further finds that the proposed project will not have a significant effect on the environment. The proposed use is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 – Replacement or Reconstruction.

<u>Section 4.</u> Based on the aforementioned findings, the Commission hereby grants approval of Conditional Use Permit No. 953-14 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

<u>Section 5</u>. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

<u>Section 6</u>. 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.

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF JULY, 2014.

	CHAIRMAN	
ATTEST:		
SECRETARY		

Exhibit "A"

Groen wumber: NCS-647789-C0 Page Noshber: 7

LEGAL DESCRIPTION

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

PARCEL 11

THAT PORTION OF THE NORTH 10 ACRES OF LOT 3 IN BLOCK "B" OF SUBDIVISION OF A PART OF THE RANCHO SAN PEDRO. KNOWN AS DOMINGUEZ COLONY, IN THE CITY OF CARSON, INTHE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA. AS PER MAP RECORDED IN BOOK 3 PAGES 603 AND 602 OF MISCELL ANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT IN THE WESTERLY BOUNDARY OF THAT CERTAIN 21.50 FOOT STRIE OF LAND DESCRIBED IN DEED OF EASEMENT TO THE PACIFIC ELECTRIC RAILWAY COMPANY, RECORDED JANUARY 23, 1947, AS INSTRUMENT NO. 1156 IN BOOK 24207 PAGE 16, OFFICIAR RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THAT IS DISTANT SOUTHERLY LINE OF DOMINGUEZ STREET (66 FEET WIDE), SHOWN ON SAID MAP AS AN UNNAMED STREET ADJOINING SAID LOT 3 ON THE NORTH, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, TANGENT TO SAID WESTERLY BOUNDARY AND HAVING A RADIUS OF 843.25 FEET; THENCE, SOUTHERLY ALONG SAID CURVE 187.20 FEET TO A POINT OF COMPOUND CURVE, A RADIAL LINE TO SAID POINT OF COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BEARS OF 120° LOTS. SAID COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BEARS SOUTH 60° 12° 10° EAST, SAID COMPOUND CURVE BOUNDARY, ARD HAVING A RADIUS OF 448.59 FEET; THENCE SOUTHERLY LINE OF SAID NORTH 10 ACRES; THENCE ALONG THE LAST MENTIONED SOUTHERLY LINE OF SAID NORTH 10 ACRES; THENCE ALONG THE LAST MENTIONED SOUTHERLY LINE NORTH 80° 51° EAST 57.36 FEET, MORE OR LESS, TO THE ABOVE MENTIONED WESTERLY BOUNDARY; THENCE ALONG SAID WESTERLY BOUNDARY NORTH 17° 03° 40° EAST 265.99 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

THE SOUTH 5 ACRES OF THE NORTH 15 ACRES OF LOT 3 IN BLOCK "R" OF SUBDIVISION OF A PART OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGES 601 AND 602 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:

THAT PORTION OF LOT 3 IN BLOCK "B" OF THE SUBDIVISION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGES 601 AND 602 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHERLY 15 ACRES OF SAID LOT, SAID POINT BEING IN THE EASTERLY LINE OF WILMINGTON AVENUE, AS SHOWN ON THE MAP OF TRACT NO. 4054, RECORDED IN BOOK 44 PAGES 39 TO 41 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTH 89° 58' 40" EAST ALONG THE SOUTH LINE OF SAID NORTHERLY 15 ACRES, 1320.85 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID EASTERLY LINE TO ITS INTERSECTION WITH A LINE

PARALLEL WITH SAID SOUTHERLY LINE OF SAID NORTHERLY 15 ACRES AND DISTANT SOUTHERLY 165 FEET, MEASURED AT RIGHT ANGLES THEREFROM; THENCE WESTERLY ALONG SAID PARALLEL LINE 1320.97 FEET TO THE WEST LINE OF SAID LOT; THENCE NORTHERLY ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

APN: 7316-028-014



CITY OF CARSON

DEVELOPMENT SERVICES

PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 953-14

GENERAL CONDITIONS

- 1. If Conditional Use Permit No. 953-14 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
- 2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
- 3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
- 4. If required, the applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
- 5. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
- 6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
- 7. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



- 8. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
- 9. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
- 10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
- 11. **Precedence of Conditions.** If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
- 12. **City Approvals.** All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
- 13. **Deposit Account.** A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City my make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
- The Applicant shall defend, indemnify and hold harmless the City of Carson, its 14. agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 953-14. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of



attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

PARKING

- 15. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
- 16. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
- 17. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
- 18. All areas used for the movement parking, loading, or storage of vehicles shall be paved with either
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance and is adequate to support the load of the large trucks that will be located/stored on this property.
- 19. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

- 20. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division subject to Section 9148.9.B.2 of the Municipal Code, prior to the issuance of any building permit or business license.
- 21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
- 22. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
- 23. The applicant shall expand and upgrade the front landscaping area to 25 feet in width with the addition of trees and other planting materials.



FENCES/WALLS

- 24. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9148.9.B.3 of the Carson Municipal Code.
- 25. Barbed wire shall not be used on any fence or wall.

UTILITIES

- 26. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
- 27. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.

AESTHETICS

- 28. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits/business license.
- 29. All trash and inoperable vehicles shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
- 30. Vehicle/truck repairs are not permitted on-site in conjunction with this operation.

SIGNS

- A sign program shall be submitted to the Planning Division prior to the issuance of a building permit(s). The sign program shall detail all signs to be erected including location, size, type, materials, etc. All signs shall be subject to the approval of the Planning Division.
- 32. All permitted business signs must be in compliance with the provisions of Section 9146.7 of the Zoning Ordinance. All unpermitted signs must be removed.

LIGHTING

33. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.

TRUCK LOADING AND MANEUVERING

- 34. All truck loading areas shall be properly marked according to Section 9162.66 of the Zoning Ordinance.
- 35. All truck loading facilities, maneuvering areas and parking and stacking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

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Perimeter guards (bumper guards, wheel stops, concrete curbing, bollards) shall be provided for all truck spaces.

BUILDING AND SAFETY

37. Submit for plan check, obtain all building permits and have a final inspection conducted for proposed project.

TRASH

38. The proposed trash enclosure(s) will be subject to the requirements of Section 9146.4 – Trash and Recycling Areas – of the Carson Municipal Code.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

- 39. Any city-owned improvement damaged during the construction of the proposed project shall be removed and reconstructed per City Standard Plan and to the satisfaction of the City Engineer prior to the issuance of a building permit.
- 40. Prior to the issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.
- 41. The Developer shall comply with the applicable NPDES requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

FIRE DEPARTMENT – LOS ANGELES COUNTY

42. Prior to the issuance of a building permit, requirements for Fire Department access and adequate water for firefighting purposes shall be satisfied.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

43. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

PLANNING DIVISION - CITY OF CARSON

- 44. If the trailers will be full, no hazardous materials shall be stored onsite per Section 9148.9. In addition, overweight trailers or trans-loading will be prohibited.
- 45. The operation of the trailer storage and truck yard use shall cease and desist five (5) years after the date of approval of this CUP unless an extension of time is requested by the applicant prior to expiration and approved by the Planning

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- Division. The extension of time shall be referred to the Planning Commission for consideration if conditions or development standards have not been satisfied or significant code enforcement issues have been reported.
- 46. To mitigate impacts on the residential areas to the south of the property, on-site activities and truck trips to and from the property shall be limited to the hours between 7:00 a.m. and 9:00 p.m. daily.
- 47. To minimize impacts on the nearby residential areas, the applicant shall direct traffic north on Wilmington Avenue and east on Del Amo Boulevard. Trucks going to the site shall comply with the same route.

