



TUESDAY, MARCH 26, 2024
701 East Carson Street, Carson, CA 90745
City Hall, Helen Kawagoe Council Chambers
6:30 p.m.

MINUTES
MEETING OF THE
PLANNING COMMISSION

Members:	Dianne Thomas Interim Chair	Louie Diaz Interim Vice Chair	Frederick Docdocil
	Carlos Guerra	Del Huff	Jaime Monteclaro
	Richard Hernandez	DeQuita Mfume	Clarence Johnson
Alternates:	Leticia Wilson		
Staff:	Christopher Palmer, AICP Planning Manager	Benjamin Jones Assistant City Attorney	Laura Gonzalez Planning Secretary

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Planning Department at 310-952-1761 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

1. CALL TO ORDER

Interim Chair Thomas Called the meeting to order at 6:32 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Guerra led the Salute to the Flag.

3. ROLL CALL

Planning Commissioners Present: Thomas, Diaz, Guerra, Docdocil, Huff, Mfume, Wilson, Hernandez, Johnson

Planning Commissioners Absent: Monteclaro (Excused)

Planning Staff Present: Community Development Director Naaseh, Planning Manager Palmer, Senior Planner Alexander, Assistant City Attorney Jones, Planning Secretary Gonzalez

4. ORAL COMMUNICATIONS FOR MATTERS NOT ON THE AGENDA

None

5. ORAL COMMUNICATIONS FOR NON-PUBLIC HEARING ITEMS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)

None

6. CONSENT CALENDAR

- A) Minutes – January 31, 2024
- B) Minutes – February 13, 2024
- C) Minutes – February 27, 2024
- D) Minutes – March 12, 2024

Planning Commission Decision:

Interim Vice Chair Diaz moved, seconded by Commissioner Guerra, to approve the minutes for February 13th, February 27th, and March 12, 2024 as presented. Motion carried, 9-0.

Interim Vice Chair Diaz moved, seconded by Commissioner Guerra, to adopt the minutes for January 31, 2024 as presented. Motion carried, 8-0. (Interim Chair Thomas abstained)

7. PUBLIC HEARING

- A) **Figueroa St. Business Park – Design Overlay Review (DOR) No. 1854-21, Conditional Use Permit (CUP) No. 1108-21, Zone Change (ZCC) No. 189-22, Specific Plan (SP) No. 25-21, and Development Agreement (DA) No. 26-21**

Request:

A request to consider approval of DOR No. 1854-21 and CUP No. 1108-21 and recommendation of City Council approval of Mitigated Negative Declaration and CEQA findings, ZCC No. 189-22, SP No. 25-21, and DA No. 26-21 for construction of a new business park campus consisting of three structures totaling approximately 306,190 square feet and one commercial structure totaling approximately 2,700 square feet.

Staff Recommendation:

Senior Planner McKina Alexander presented the staff report and the recommendation to ADOPT Resolution No. 24-____, entitled, "RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING SITE PLAN AND DESIGN REVIEW NO. 1854-21 AND CONDITONAL USE PERMIT NO. 1108-21 AND RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM/CEQA FINDINGS AND APPROVE ZONE CHANGE NO. 189-21, SPECIFIC PLAN NO. 25-21 AND DEVELOPMENT AGREEMENT NO. 26-21 FOR THE CONSTRUCTION OF A BUSINESS PARK CAMPUS CONSISTING OF THREE STRUCTURES TOTALING APPROXIMATELY 306,190 SQUARE FEET AND ONE COMMERCIAL STRUCTURE TOTALING APPROXIMATELY 2,700 SQUARE FEET AT 20601 MAIN STREET, APN 7336-003-043."

Senior Planner Alexander - Staff is recommending that this project is continued because we received a letter from DTSC this afternoon and we would like to have the opportunity to discuss those concerns from the state agency and bring it back to the commission.

Interim Chair Thomas – This item is going to be continued. However, we are still going to open the floor so that you have an opportunity to speak.

Commissioner Guerra – You mentioned the 823 daily trips, does that include employees? What metrics were used?

Michael Baker (Environmental Consultant) – We prepared the CEQA document for the project. In the environmental analysis, the trips of the project are composed of the trips from the employees and the trips from the project itself. It's an overall collective total and those are carried into other analysis like the noise analysis, the air quality analysis, and the greenhouse gas analysis. With CEQA we looked at not only the daily trips, it's more composed of the vehicle miles traveled, and that is the new metric in CEQA versus the level of service you typically see. A VMT analysis was conducted for the project. It passed the threshold of significance and became less than significant impact.

Jonah Chodosh (applicant) – We respectfully disagree with the request for a continuance. This afternoon we received a comment letter from DTSC related to our Mitigated Negative Declaration. We've been negotiating with DTSC for the last three years and we appreciate the opportunity to collaborate with them. It's always been part of our application that we would get to a work plan with DTSC, and we certainly have no intent to sidestep in that. The merits of the letter from DTSC are purely word in base. It's not going to change the form or the function of the project. It's standard for DTSC to comment. Their comment is related to the CEQA document only. We are not here today to certify a CEQA document. It gets certified at City Council. We would like to continue the process. Our subsequent hearing can be at City Council where we can discuss the CEQA document in greater detail as well as the rest of the project.

Interim Chair Thomas – We are very familiar with landfills. We have been advised to continue the public hearing. This body is going to make a recommendation to the City Council. Until we are satisfied to the point where we can make that recommendation, we have to continue the item. We will open the public hearing to give everyone an opportunity to speak. We will not be deliberating tonight on this item.

Community Development Director Naaseh – We received the letter from DTSC, and we haven't had a chance to discuss it internally and with our EIR consultant Michael Baker. During the break we had a chance to talk to our EIR consultant and they stated that this type of letter can be dealt with at a later time.

Michael Baker – We've gone through a long process, and we've had DTSC involved since the beginning. They are a responsible agency. It should be noted that even if the City Council approves the project, it can't move forward without DTSC approval. We coordinated with them, they reviewed the document and assumptions before it went to public review. We are provided by them and the technical consultant with some overly conservative assumptions for the analysis. It should be noted that the DTSC process runs in parallel with the CEQA process.

Through the process they will look at the document, they have to approve the response plan, and they have to approve the response mechanism for the project. We have already covered most of those bases and at this point it's just working through some final technical details of the ground water plan, which we already covered in the CEQA document. We are confident that the CEQA document will not change, will not have additional mitigations, or impacts beyond the list in the project.

Interim Chair Thomas – When disturbing landfills, especially when you're in the construction phase of the development, the environment, CEQA, and the air are very critical. We have been dealing with another project and one of the requirements with DTSC is that you have alarms set all around the property. The alarms will go off if the air quality changes to make sure that we go back within the level that it needs to be. Is that part of this project as well?

Michael Baker – I think that would be related to volatile organic compound issues with gas emitting from the landfill. If they have that as a condition of the response plan, they have to be implemented to move forward and get approved. We conducted a health risk assessment related to any kind of transport with any trucks or materials from the site to immediate landfill.

Interim Chair Thomas opened the public hearing.

Sherri Hodges (speaker) – I have concerns about pollution and the air. This project is across from Vista Del Loma Mobile Home Park. This raises a huge health concern for the elderly. I hope this is done properly. In the median that is going to cross our exit, will that prevent us from making a left-hand turn? If we make a right-hand turn, we will go directly into the truck's exit. We will not be able to move in and out of our park freely. We need a light there if indeed we're going to have all this traffic going on both sides of us trapping us in. We understand the need for progress, but we also would like them to consider us.

Carlos Santos (speaker) - I am a member of Laborers' International Union of North America. I support this project and the developer. Projects like these is what the City of Carson and the residents need. This project will give me an opportunity to go to work and provide for my family. Since this project is close to where I live, I will be able to spend more time with my family. Please consider approving this project so that we can build something great for this city.

Jon Muñoz (speaker) – This project will provide places to eat, shop, and congregate while supporting fair paying jobs, benefits, trained work force, skilled work force, and blue collard middle class careers.

Maria Coronado (speaker) - I am a member of Western States Carpenters Union. Projects like these create middle class jobs that pay a living wage and bring wealth to the community. This means more money for local businesses and more revenue for the city. Projects like these help our carpenters because they can work locally and enjoy a shorter commute. Our training center is here in Carson and provides men and women opportunities. We have a program that brings people from the community, some of them looking for a second chance. It provides them with a career opportunity to become a carpenter with a skill. Projects like these could help them start and finish their careers and do it close to home. We are in favor of this project.

Anthony Ruano (speaker) - I am a member of Western States Carpenters Union. I have been in the trade for three years and this program has helped me provide for my family. We have members that live in Carson and have to drive far away. I would love for them to be able to drive fifteen minutes away and be able to spend more time with their families. We are in favor of this project.

Jason Marechal (Civil Engineer) – I appreciate the city’s partnership throughout this project. It has taken three years to get to this point. Please reconsider the decision to continue based on the City Council’s final determination on the CEQA document. After hearing from the CEQA consultant that the DTSC concerns are likely to be addressed and given that we have everybody out here speaking on behalf of this project. My other request would be for you to consider acting tonight. Given that City Council ultimately is the deciding authority on the CEQA document, just reconsider the decision to continue based on the process that got us to this point.

Mike Murchison (Consultant) – If this body decides to continue, we ask that you expedite the item to the next meeting on April 9th. We would like to come back as quickly as possible.

Jose Garcia (speaker) – I am a member of the Laborers’ International Union of North America. We try to plan work ahead of time so that we don’t stop working and we don’t become a burden to society. A lot of our members become proud homeowners and taxpayers. We really depend on these projects. We ask that you please move the project forward.

Kenneth Hunt (speaker) – Please take steps to be careful what you allow big heavy equipment and trucks to do right in front from where we live. lookout for the people that have to live basically on top of this work.

Community Development Director Naaseh - In light of what the city’s CEQA consultant stated, staff withdraws our recommendation for continuance.

Interim Vice Chair Diaz – I would like to hear from Assistant City Attorney Jones in relation to his opinion. That helps me make an informative decision whether to continue or hear this meeting this evening.

Commissioner Guerra – It was announced that it would be continued and some people who wanted to speak might have gone home. I think this is an issue we should consider.

Assistant City Attorney Jones – I had a chance to review the DTSC letter during this hearing and it appears that it would just be text amendments to the final IS/MND. You could make a motion to say, make the changes required per the DTSC letter in the final IS/MND when it goes to council. I don’t think it’s something that would require continuance tonight. Of course, it’s within the commission’s discretion. It seems like the nature of the changes that DTSC is requesting is more just verbiage changes and not IS/MND. It isn’t something that could not be done via the motion and then after the fact between commission and council. We still need to read the letter from DTSC into the record along with any other public comment letters that have been received. We also need to make changes to the conditions and resolution. The staff report that was written in place with the agenda was staff’s recommendation to approve. After receiving the DTSC letter staff temporarily changed that recommendation and it was suggested

that it might end up continued, but that is not a defect in the noticing that would require the commission to now continue the item. You have the authority to move forward if that's what you see fit to do.

Commissioner Huff – Have we looked into the environmental issues our residents mentioned?

Interim Chair Thomas – We would certainly need to have conversations.

Commissioner Hernandez – Our priority has to do with the residents that are affected by this project.

Assistant City Attorney Jones read The Department of Toxic Substances Control letter into the record.

Senior Planner Alexander read the Golden State Environmental Justice Alliance letter into the record.

Interim Chair Thomas closed the public hearing.

Planning Commission Decision:

Interim Vice Chair Diaz moved, seconded by Commissioner Hernandez, to move forward with deliberation and come to a decision to make a recommendation to the City Council. Motion carried, 7-2.

Commissioner Guerra moved, to approve staff's recommendation.

Seconded by Interim Vice Chair Diaz with a friendly amendment to the motion to include the verbiage changes indicated by DTSC in the final Initial Study/ Mitigated Negative Declaration.

Commissioner Guerra accepted the friendly amendment.

Assistant City Attorney Jones - There have been some changes to the proposed Conditions of Approval that we would like to show you that have been negotiated between staff and the applicant since the time of the agenda deadline. We also have some recommended changes to the proposed resolution to ensure that all required findings are there. We can show you those on the screen as well. We can have a discussion on whether you would like to have the motion amended to include those changes. We have two changes in the Development Agreement. Recital D mentions that the project will include 313,266 square feet of gross building floor area including up to 19,000 square feet of mezzanine space. The correct number is 306,190 square feet of gross building floor area and 12,000 of mezzanine. The second change in the DA is regarding the tenant's suites, Section 3.4(c), which currently says, "Each tenant or affiliated entity may only occupy one tenant suite within the project at any given time", this would be changed to say, the requirement is that a tenant that occupies more than one tenant suite for the same operation at any given time. Subsection C would be changed accordingly, and corresponding changes made in the draft resolution.

Interim Chair Thomas – I am concerned about the air quality issues. Will there be monitors surrounding the property in case the air quality reaches a level that is detrimental to the residents? Will there be alarms so that it's handled?

Interim Chair Thomas opened the public hearing.

Scott Zachary (Environment Engineer) – As part of the DTSC agreement, we have to submit a post development OM&M plan. It requires all the monitoring that is required of the landowner beyond the development. It includes inground probes that monitor the vapor and air monitoring around the facility. The OM&M plan very specifically states when the monitoring needs to be done, how the monitoring has to be done, and at what frequency. It also has a contingency plan in the event that there is any detection above action levels of what is done. Those reports go to the county, CalRecycle, and DTSC jointly semiannually.

Interim Chair Thomas – In the case of an alarm going off, is DTSC notified immediately?

Scott Zachary - Alarms are immediately notified. Most of the alarms are inside the buildings. There are no alarms in the exterior. The monitoring that is done inground is done on the frequency that is defined in the OM&M plan. They are not automatic, there are samples that are taken at that frequency. There are certain permits that have to be obtained from AQMD when undergoing construction of a landfill type facility. Those may require above ground monitoring during the construction activities. There is an immediate notification if there are any exceedances and there are also immediate actions that are taken in the field when those alarms go off.

Interim Chair Thomas – You are looking at a 24/7 operation for buildings 1 and 2. For building 3 you are looking at 8:00 a.m. to 10:00 p.m. operation. I am concerned that it's going so late into the night. Is the applicant amenable to making some changes on the hours for that Main Street corridor?

Jonah Chodosh (applicant) – It's our understanding that the hours of operation are pursuant to the General Plan Amendment and those hours of operation are based off proximity to residential. We've made a host of concessions regarding building 3. It's oriented such that the truck access can be taken from Figueroa Street. The loading and service areas are fully screened and secured such that noise and truck traffic are mitigated by design. Trucks would rarely be flowing through the truck route, which is Main Street. They would be coming from Figueroa Street by design. We were following the city's standard regarding operating hours for this condition. It certainly is something that would have to be discussed.

Interim Chair Thomas – Those hours are just too late. When we look at the northeast entry way ingress/egress, which can come from Del Amo Boulevard to Main Street, it's almost directly across the street from Vista Del Loma. It is my understanding that the only usage would be for passenger vehicles and small trucks.

Jason Marechal (Civil Engineer) - The southeast driveway is right-in/right-out for larger trucks. On the analysis for this project, we looked at the a.m. and p.m. peak traffic hours. If we look at the intersection of Main Street and Del Amo boulevard, which is what feeds Main Street, we are looking at around 30 vehicles during the a.m. peak hours and about 20 during the p.m.

peak hours. If you look at your existing volumes on Main Street, they are more in the 800 to 1000 range. We are adding 30 in comparison to about 800 and 20 in comparison to about 1000. There is a very incremental change in traffic on Main Street. The project does not make a significant difference on the Main Street traffic for autos or trucks.

Interim Chair Thomas – We have another major project that is right at the corner of Del Amo Boulevard and Main Street. They will also have trucks coming in from Del Amo Boulevard to Main Street. You have that traffic and any traffic that is coming off the freeway traveling east on Del Amo Boulevard and then traveling south on Main Street. That project will have warehouses and trucks going there. We have to consider other trucks coming through there.

Jason Marechal – I understand that you have other projects in the city. The number of trucks that actually go on Main Street as part of this project is very minimal. We are looking at 2% to 3% during the peak hours. In our conversations with staff over a significant amount of time, it was decided that it would be less impactful to have right-in/right-out for trucks at that driveway then allow trucks to turn left-in at the driveway. I think that given the volume on Main Street being very minimal for this project the right-in/right-out was determined to be the least impactful driveway from an overall traffic perspective. This project doesn't create any significant impacts from a traffic operations perspective. We had a scoping agreement with the city, worked a lot with the city traffic engineer, and this project has no impacts from a level of service perspective.

Interim Chair Thomas - You are going to be building a median to allow them to make a left turn and you are not going to have a signal light. My recommendation to my fellow planners is that we restrict the access into building 3 to the southeast driveway for large trucks, left-in/right-out. The northeast driveway remaining as it is for vehicles. I will recommend for hours of operation for building 3 to be 8:00 a.m. to 9:00 p.m. as opposed to 10:00 p.m. I want to make sure that the residents know to make us aware of any dust during the construction period. We have to respect the people who have been living there for over fifty years. We do want that area developed. Aesthetically, it's going to be beautiful.

Jason Marechal – Could you reconsider the hours of restriction that you're putting on this project that would be sort of outside the General Plan requirements?

Assistant City Attorney Jones – Condition No. 35 currently reads, "The driveway located on the southeastern corner of the site would serve as a shared driveway with full access for passenger cars, bobtails, and delivery trucks, and right-out only for large-body trucks with the following restriction: No truck exit between the hours of 8:00 a.m. to 10:00 p.m., Monday through Sunday." We would change the last sentence to say, "truck exit shall only be allowed between the hours of 8:00 a.m. to 9:00 p.m., Monday through Sunday." This is referring to large-body trucks.

Jason Marechal – I apologize, I did misspeak when I was talking about the driveway access at the southeast driveway. It is outbound right-turns only for large trucks, but I am accurate about the amount of traffic that's on Main Street.

Senior Planner Alexander – In the revised condition there will be right-out only, there is no right-in.

Community Development Director Naaseh – I would clarify the condition by stating no right-in and no left-in for large trucks.

Interim Chair Thomas closed the public hearing.

Commissioner Guerra accepted the friendly amendment.

Planning Commission Decision:

By way of a friendly amendment, Commissioner Guerra moved, seconded by Interim Vice Chair Diaz, to incorporate prior and additional changes discussed by Assistant City Attorney Jones, Interim Chair Thomas, and Director Naaseh regarding the Resolution, Conditions of Approval, and the Development Agreement, thus adopting Resolution No. 24-2869. Motion carried, 9-0.

8. MANAGER'S REPORT

Planning Manager Palmer – We are going to postpone Eat, Shop, Local Presentation to the next Planning Commission meeting.

9. COMMISSIONERS' ORAL COMMUNICATIONS

Commissioner Johnson – I would like to thank the commission and community.

Commissioner Hernandez – I want to let everybody know about the Cesar Chavez event happening this Friday. The street paving looks excellent. I would like to recommend new furniture up here.

Commissioner Mfume – Thank you for the Planning Commission training, it was excellent.

Commissioner Wilson – Thank you, we worked well this evening.

Commissioner Docdocil – The Earths Kids Fest is happening. There's an essay contest for the kids and the theme is "My dream for the future of our earth." Hopefully, this is not limited just to kids, for us to think about the future as well.

Commissioner Huff – To our new commissioner welcome aboard.

Commissioner Guerra - Commissioner Johnson welcome aboard. We are an extremely hard-working commission. Thanks to our staff for providing us the opportunity to learn and better serve our community.

Interim Vice Chair Diaz – Staff does a tremendous job. It makes us shine and if we shine it makes the city shines.

Interim Chair Thomas – Please do not prepare binders for those of us who pick up the agenda package. If you are requesting the agenda package, please pick it up.

10. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Dianne Thomas
Interim Chairperson

Attest By:

Laura Gonzalez
Planning Secretary