

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 24-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN OVERLAY REVIEW NO. 00012-24 AND CONDITIONAL USE PERMIT NO. 1102-20 FOR A TRUCK-RELATED USE LOCATED LESS THAN 100 FEET FROM A RESIDENTIAL ZONE (24760 MAIN STREET)

WHEREAS, on June 18, 2020, the Department of Community Development, Planning Division received an application from Rengel + Company, Architects inc., on behalf of Prologis USLV NewCA 4 LLC, for real property located at 24760 Main Street and described in Exhibit “A” attached hereto, requesting approval of Conditional Use Permit (CUP) No. 1102-20 to permit a truck-related use within 100 feet of residential properties; and

WHEREAS, on August 22, 2023, the project was presented to the Planning Commission for consideration in a public hearing. Upon hearing public comments regarding noise concerns and Commissioners noting that no community meeting was held prior to the Public Hearing, the Planning Commission voted 7-0 in favor of continuing the item until a community meeting is held to discuss additional noise mitigation measures. As a result, two community meetings were held on January 11, 2024, and August 28, 2024, to discuss additional mitigation measures; and

WHEREAS, on August 8, 2024, the Department of Community Development, Planning Division received an application from Rengel + Company, Architects inc., on behalf of Prologis USLV NewCA 4 LLC, for real property located at 24760 Main Street and described in Exhibit “A” attached hereto, requesting approval of Site Plan and Design Review (DOR) No. 00012-24 for site improvements to an existing development; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the eighth day of October, 2024, conduct a duly noticed public hearing as required by law to consider said Conditional Use Permit application. Notice of the hearing was originally posted and mailed to property owners and properties within a 750-foot radius of the project site by September 26, 2024; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The Planning Commission determined that the facts of this matter are as follows:

1. With respect to the **Site Plan and Design Review (DOR) No. 00012-24** to permit the development of the proposed project to provide new fencing, landscaping, and parking lot striping.
 - a) The proposed development is compatible with the General Plan of the City of Carson and with the surrounding uses. There is no applicable specific plan.
 - b) The proposed development is compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area. Landscaping is being incorporated to beautify the site and provide noise absorption, a 6' high wrought iron fence is being added along the southern property line, a new trash enclosure will be added to the property, and roll-up doors closest to the adjacent residential properties are being permanently locked.
 - c) There will be adequate street access for pedestrian and vehicles, and also adequate traffic capacity, including for parking and service. The subject property has two existing vehicular driveways on Main Street. There will be no physical change to the driveways, but (i) trucks entering the project site from 8am-5pm may use either of the two driveways along main street, and trucks exiting the project site will use only the southern driveway, (ii) if necessary from 8am to 5pm, trucks will queue along the northern side of the subject warehouse building on the project site, rather than on Main Street as was previously the case, and (iii) all trucks using the project site will adhere to the agreed-upon truck routes to and from the I-110-freeway as depicted in Exhibit 1 to the Urban Crossroads Trip Generation Study prepared for the project dated September 30, 2021 ("Traffic Study"). According to the Traffic Study, the proposed project's adjustments will reduce trucks at the site from 360 trucks per day to 173 trucks per day, with a turnround time of 15 minutes as opposed to the current 30 minutes per truck, and the total number of daily two-way Passenger Care Equivalent (PCE) traffic trips for the proposed project will be 2,452, representing a net decrease of 2,243 daily two-way PCE trips (consisting of a decrease of 2,384 PCE truck trips and an increase of 141 passenger car trips) compared to what is typical for High-Throughput Logistics Facility uses, the previous use of this site. The proposed use requires 1 parking space per 1,500 square feet of warehousing gross floor area, per the CMC. Therefore, a total of 153 parking stalls ($229,220/1,500 = 153$), 6 ADA stalls and 147 standard stalls is required. The applicant proposes 154 parking spaces: 144 regular and 10 ADA compliant parking spaces.. Truck trailer parking stalls are being reduced from 7 to 6.
 - d) No business signage is currently being proposed. All future signage will be reviewed as a modification to this Site Plan and Design review and is subject to the same findings.
 - e) The proposed development will be in one phase (i.e., will not be a phased development).

- f) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review," can be and are made in the affirmative.
2. With respect to the **Conditional Use Permit (CUP) No. 1102-20** to permit the proposed use of the property as a truck-related use located less than 100 feet from a residential zone:
 - a) The proposed project is consistent with the General Plan of the City of Carson. The proposed project involves use of an existing 225,713 square foot warehouse facility, which was lawfully developed in in 1991, with certain proposed site improvements and operational modifications to mitigate the impacts on surrounding uses, and involves no new construction or expansion of the existing warehouse building or facility.
 - b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
 - c) The proposed use and development, as conditioned, will have adequate street access and traffic capacity, and adequate onsite parking, as provided in Section 1(c) above.
 - d) The proposed use and development, with the included mitigation measures, will be compatible with the intended character of the area. Project renovations include relocating all of the existing truck parking and loading currently located on the eastern edge of the property (which is adjacent to a residential zone across Mill Valley Way) to the southern side of the property (which is adjacent to less sensitive industrial and commercial uses), limiting the eastern side of the property to empty trailer parking with activity only permitted to occur between 8am-5pm, planting Creeping Fig along the eastern back wall to cover the wall and assist with muffling noise, only permitting truck access via the southern driveway after 5pm, limiting the hours of 5 southern facing truck loading dock doors to 7am-10pm, and permanently closing and locking all truck loading doors located on the east side of the property and the 3 easternmost southern facing truck loading dock doors, thereby reducing the total number of operational loading doors from 50 to 30. Conditions have been included that prohibit honking from trucks while onsite or while trying to access the site and that require the property owner and/or tenant to establish a 24/7 phoneline for residents to report nuisance issues coming from the property. Other renovations include a re-striping of the existing parking lots, on-site landscaping improvements, and installation of a new wrought-iron fence along the southern property line. The existing office/warehouse building will continue to be used for the proposed project, while the overall use of the property with the proposed project, due to the site improvements and operational adjustments, will reduce adverse truck-related impacts on, and be more compatible with, the mix of surrounding existing and intended uses, including but not limited to the residential neighborhood to the east.
 - e) The proposed project includes development standards designed to mitigate existing and potential noise, dust, fumes, traffic and other adverse environmental impacts affecting neighboring residential areas, in compliance with Carson Municipal Code Section 9148.8(B). The development standards include, without limitation, those discussed in paragraphs (c)-(d) above.

- f) The Commission has considered the special criteria and limitations pertaining to Conditional Use Permits in an industrial zone set forth in CMC Section 9143 with respect to the proposed use, as conditioned by the Conditions of Approval attached as Exhibit “B.” All required findings for approval of the Conditional Use Permit can be, and are, made. The proposed use is limited to warehousing and transportation of non-hazardous materials and will not intensify, add to, or interact with industrial activities in the area in a manner that would create any hazards or adverse effects, nor would there be any hazard to the proposed use as a result of it locating in proximity to the existing uses in the surrounding area.

SECTION 3. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project involves negligible or no expansion of the existing use. A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

SECTION 4. The Planning Commission of the City of Carson, pursuant to the findings set forth above, does hereby approve Site Plan and Design Review No. 00012-24 and Conditional Use Permit No. 1102-2020 to permit a truck-related use located within 100 feet from a residential zone, at 24760 Main Street, subject to the Conditions of Approval contained in Exhibit “B”.

SECTION 5. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed within that time in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 8th day of October, 2024.

CHAIRPERSON

ATTEST:

SECRETARY

LEGAL DESCRIPTION

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

PARCEL 1:

THE SOUTH 30 ACRES OF LOT A OF THE GERMAN SETTLEMENT TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 121 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE EAST 349.00 FEET THEREOF.

ALSO EXCEPT THE SOUTH 500 FEET OF SAID LOT A.

ALSO EXCEPT THE WEST 40 FEET THEREOF CONVEYED TO THE COUNTY OF LOS ANGELES FOR ROAD PURPOSES, BY DEED RECORDED IN BOOK 3734, PAGE 210 OF DEEDS.

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE SOUTHERLY 500 FEET OF SAID LOT A, WITH THE WESTERLY LINE OF THE EASTERLY 349 FEET OF SAID LOT;

THENCE ALONG SAID WESTERLY LINE NORTH 0° 11' 24" WEST 150 FEET;

THENCE PARALLEL WITH THE SAID NORTHERLY LINE SOUTH 86° 28' 52" WEST 150 FEET;

THENCE PARALLEL WITH THE WESTERLY LINE SOUTH 0° 11' 24" EAST 150 FEET TO SAID NORTHERLY LINE;

THENCE ALONG SAID NORTHERLY LINE NORTH 86° 28' 52" EAST TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN, UNDER, UPON AND THAT MAY BE DEVELOPED OR PRODUCED FROM SAID LAND, WITHOUT ANY RIGHTS TO ENTER UPON THE SURFACE AND THE SUBSURFACE AREA TO A DEPTH OF 500 FEET BELOW THE SURFACE, AS RESERVED BY NATIONAL ROYALTIES INC., A CORPORATION, IN DEED RECORDED DECEMBER 30, 1957 AS INSTRUMENT NO. 1538, IN BOOK 56325 PAGE 389, OF OFFICIAL RECORDS.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS OVER THE WESTERLY 20 FEET OF THE EASTERLY 669 FEET OF THE SOUTH 500 FEET OF LOT A OF THE GERMAN SETTLEMENT TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 121 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7406-025-031

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
CONDITIONS OF APPROVAL
EXHIBIT "B"**

**SITE PLAN AND DESIGN REVIEW NO. 00012-24 AND CONDITIONAL USE PERMIT
NO. 1102-20**

I. GENERAL CONDITIONS

1. If a building permit for Conditional Use Permit No. 1102-20 is not issued within **two years** of its effective date, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, 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 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.
4. The applicant, property owner, tenant(s), and their successors in interest ("Developer") shall comply with all city, county, state and federal regulations applicable to this project.
5. Any substantial project revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. A modification of these conditions, 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.
7. If any of these conditions are violated, or if any applicable law, statute or ordinance is violated, or if any other applicable basis for revocation set forth in the Carson Municipal Code ("CMC") is satisfied, this permit may be revoked by the Planning Commission or City Council, as may be applicable, in accordance with the CMC.
8. Precedence of Conditions. If any of these Conditions of Approval alter a commitment made by the Developer 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.
9. 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.
10. 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 may 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 therefor, or work may cease on the Project.

11. Indemnification. To the fullest extent permitted by law, the applicant, property owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, “Claims”) against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors’ operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees’ associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors’ consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City’s estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys’ fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.
- 12. Trucks accessing the project site from 8am-5pm: (i) may enter through either of the two existing driveways on Main Street and exit only through the southerly of said two driveways; (ii) shall queue only along the north side of the existing warehouse building on the project site; and (iii) shall use only the routes to and from the 110 freeway as depicted in Exhibit 1 to the Urban Crossroads Trip Generation Study prepared for the project dated September 30, 2021. For the avoidance of doubt, the foregoing site circulation provisions of this condition are also part of the project.**
- 13. Trucks accessing the project site from 5pm-8am: (i) shall both enter and exit only through the southernly of the two existing driveways on Main Street; (ii) shall not queue onsite or offsite; (iii) shall not travel past the easternmost usable dock-high truck loading door (see condition 14 below); and (iv) shall use only the routes to and from the 110 freeway as depicted in Exhibit 1 to the Urban Crossroads Trip Generation Study prepared for the project dated September 30, 2021. For the avoidance of doubt, the foregoing site circulation provisions of this condition are also part of the project.**
- 14. All roll up doors and truck loading docks facing the easterly property line shall be permanently locked and unavailable for use. Additionally, the 3 easternmost, southerly facing dock-high truck loading doors shall be permanently locked and unavailable for use and the next 5 dock-high truck loadings doors shall be locked and unavailable for use between the hours of 10pm-7am.**

15. No activity shall occur past the easternmost point of the warehouse outside of 8am-5pm including, but not limited to, employee breaks, employee parking, empty trailer relocation, truck idling, and truck circulation.
16. Active empty trailer parking and relocation in the parking lot on the east side of the warehouse shall only occur between 8am-5pm.
17. Trucks shall be prohibited from honking at any time on the project site or while trying to access the project site.
18. A 24/7 phoneline shall be established for the project to enable the residents to register noise and other nuisance complaints. The tenant and/or the property owner shall be required to respond to complaints within 24 hours. These signs shall be placed in several areas on the site visible to the community.

II. AESTHETICS

19. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
20. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
21. Graffiti shall be removed from all areas within twenty-four (24) hours of written notification by the City of Carson, including graffiti found on perimeter walls and fences. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modification (i.e. fencing, landscaping, chemical treatment, etc.). Nothing in this condition shall be construed to limit or preclude any of the City's legal rights or remedies related to graffiti abatement, whether pursuant to CMC Article V Chapter 4 or otherwise.
22. The project site shall be maintained free of debris, litter and inoperable vehicles at all times. The subject property shall be maintained to present an attractive appearance to the satisfaction of the Planning Division and in accordance with the CMC.

III. FENCE/WALLS

23. The new wrought-iron fence to be constructed/installed at the southern property line of the subject property as part of the project shall be maintained free from graffiti and painted when necessary, to the satisfaction of the Planning Division.

IV. LANDSCAPE/IRRIGATION

24. Comply with the provisions of the Water Efficient Landscape Ordinance as adopted by the City (Sections 9168.1 et seq. of the Zoning Ordinance).
25. 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.
26. Install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

27. The proposed irrigation system shall include best water conservation practices.
28. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner (including any successors-in-interest).
29. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect, demonstrating compliance with applicable code requirements and these conditions. Such plans must be approved by the Planning Division prior to issuance of Building Permit.
30. **The existing retaining wall and chain link fence on the eastern property line shall be entirely covered by Creeping Fig within 2 years and maintained such that the entirety of the wall and fence be covered by healthy, green plant material so that noise can be effectively absorbed from the project site.**

V. LIGHTING

31. Adequate lighting shall be provided for all parking areas prior to final inspection.
32. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 (Exterior Lighting) of the Zoning Ordinance.
33. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

VI. PARKING

34. New parking spaces shall be provided in accordance with Section 9162.21 of the Zoning Ordinance.
35. All driveways shall remain clear. No encroachment into driveways shall be permitted.
36. All parking areas shall be re-slurry sealed and re-stripped with a new parking configuration that complies with ADA, Fire, and Traffic Engineering standards.
37. All areas used for movement, parking, loading, or storage of vehicles shall be paved, striped, and provided with wheel stops in accordance with Section 9162.0 of the Zoning Ordinance.
38. The site shall not be used for repair and/or replacement of truck and trailer tires. Trucks and trailers shall not project into the public right of way and/or off-site at any time.

VII. TRASH

39. A trash enclosure shall be provided on site, at a location approved by the Planning Division.
40. Trash collection shall comply with the requirements of the City's trash collection company.

VIII. BUSINESS LICENSE

41. All parties involved in the subject project including but not limited to contractors and subcontractors are required to obtain a City business license per Section 6310 of the Carson Municipal Code.