

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 19-2674

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING DESIGN OVERLAY
REVIEW NO. 1748-18 AND CONDITIONAL USE PERMIT
NO. 1077-18 FOR A PROPOSED BUILDING AND SITE
REMODEL OF A NEW TRUCK YARD FACILITY AT 2315
EAST DOMINGUEZ STREET**

WHEREAS, on October 22, 2018, the Department of Community Development received an application from Matt Simon of Simon Glover, Inc., on behalf of Greg Spencer of Terreno Corporation, for real property located at 2315 East Dominguez Street and described in Exhibit "A" attached hereto, requesting approval of Design Overlay Review No. 1748-18 and Conditional Use Permit No. 1077-18 to allow for the renovation of an existing industrial site to renovate an industrial site and prepare for a new truck yard facility; 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 twenty-seventh day of August, 2019, conduct a duly noticed public hearing as required by law to consider said design overlay application and conditional use permit. Notice of the hearing was originally posted and mailed to property owners and properties within a 750-foot radius of the project site by August 15, 2019; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY 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 determines that the facts of this matter are as follows:

1. With respect to the **Site Plan and Design Review No. 1748-18** to permit the design for a proposed building and site remodel of a new truck yard facility:
 - a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed truck yard development is compatible with the surrounding areas
 - b) The proposed project 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, open spaces, and other features relative to a harmonious and attractive development of the area. The proposed project consists of patching and repairing the paving systems on the site, updating the building interior, repainting the main building, demolition of an existing storage shed structure, landscaping improvements, upgrading of the existing fence along the property

EXHIBIT NO. 3

- line, providing American Disabilities Act (ADA) parking and access upgrades, and improving the façade along Dominguez Street. A new 8-foot high chain link high fence and gates along the northern and eastern property lines is proposed. An 8-foot high concrete block wall will be constructed behind a 25-foot landscaped setback along Maciel Avenue. A new 8-foot high wrought iron fence and gates are proposed along Dominguez Street. A new trash enclosure is also proposed for the property.
- c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. Two existing driveways along Dominguez Street will provide access to the site. To provide safe access to the property, two driveways located along Dominguez Street and a driveway along 209th Street will be closed. Access to the site from freeways will require little to no driving on residential streets by utilizing Wilmington Avenue and Del Amo Boulevard, which are both truck routes. A total of 152 truck spaces are proposed for the site, consisting of 112 trailer spaces and 40 tractor spaces. The project site provides a total of 25 auto parking spaces. Based on the CMC requirements, 25 parking spaces are needed for the project site. Parking will include 1 handicapped space. Parking spaces visible from Dominguez Street will be screened by use of a 140-foot minimum setback and the existing building, and parking along Maciel Avenue will be screened from public view by use of a block wall and landscaping. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.
 - d) All signage associated with this project will comply with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness and restraint in signing graphics and color.
 - e) Landscaping and site design will provide the proper screening from public right-of-way along Dominguez Street and Maciel Avenue. The existing site includes landscaping within the front yard setback which will be improved with new plant materials and irrigation. A 25-foot wide landscaped setback to screen the proposed truck parking along Maciel Avenue will be provided.
2. With respect to the **Conditional Use Permit (CUP) No. 1077-18** to permit a new truck yard facility:
- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed truck yard development is compatible with the surrounding areas.
 - b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development of a new truck yard facility.
 - c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. Two existing driveways along Dominguez Street will provide access to the site. To provide safe access to the property, two driveways located along Dominguez Street and a driveway along 209th Street will be closed. Access to the site from freeways will require little to no driving on residential streets by utilizing Wilmington Avenue and Del Amo Boulevard, which are both truck routes. A total of 152 truck spaces are proposed for the site, consisting of 112 trailer spaces and 40 tractor spaces. The project site provides a total of 25 auto parking spaces. Based on the CMC requirements, 25 parking spaces are needed for the project site. Parking will include 1 handicapped space. Parking spaces visible from Dominguez Street will be screened by use of a 140-foot minimum setback and the existing building, and parking along Maciel Avenue will be screened from public view by use of a block

wall and landscaping. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.

- d) The County Fire Department has reviewed the proposed project and concludes that adequate water supply exists to meet current and anticipated fire suppression needs.
- e) The proposed truck yard facility will be compatible with the intended character of the area. The proposed project consists of patching and repairing the paving systems on the site, updating the building interior, repainting the main building, demolition of an existing storage shed structure, landscaping improvements, upgrading of the existing fence along the property line, providing American Disabilities Act (ADA) parking and access upgrades, and improving the façade along Dominguez Street. A new 8-foot high chain link high fence and gates along the northern and eastern property lines is proposed. An 8-foot high concrete block wall will be constructed behind a 25-foot landscaped setback along Maciel Avenue. A new 8-foot high wrought iron fence and gates are proposed along Dominguez Street. A new trash enclosure is also proposed for the property.

SECTION 3. The Planning Commission further finds that the development permitted by the proposed project will not have a significant effect on the environment as indicated in the Negative Declaration prepared for this project, which is available at <http://ci.carson.ca.us/CommunityDevelopment/DominguezSt.aspx>, and which is incorporated herein by reference. A Notice of Determination shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

SECTION 4. Design Overlay Review No. 1748-18 and Conditional Use Permit No. 1077-18 comply with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 9172.21 (Conditional Use Permit) and Section 9172.23 (Site Plan and Design Review) and of the Carson Municipal Code.

SECTION 5. The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Design Overlay Review No. 1748-18 and Conditional Use Permit No. 1077-18 for a proposed building and site remodel of a new truck yard facility at 2315 East Dominguez Street, subject to the Conditions of Approval contained in Exhibit B.

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 27th day of August, 2019.


CHAIRPERSON

ATTEST:


SECRETARY

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 10, 11 AND 12 OF ROBINSON'S SUBDIVISION OF LOTS 1, 2, 5 AND 6, IN BLOCK "A" OF DOMINGUEZ COLONY TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 60 PAGE 98 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ELFTMAN STATION TRACT IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 16 PAGE 196 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID LAST MENTIONED TRACT, SOUTH 17 DEGREES 10 MINUTES 00 SECONDS WEST 713.01 FEET TO THE SOUTHERLY LINE, SOUTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 374.92 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE ALONG THE WESTERLY LINE OF SAID LOT 12 AND 11, NORTH 17 DEGREES 09 MINUTES 16 SECONDS EAST 600.15 FEET TO A POINT IN SAID LINE DISTANT SOUTH 17 DEGREES 09 MINUTES 16 SECONDS WEST 21.80 FEET FROM THE NORTHWEST CORNER OF SAID LOT 11; THENCE PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 11, NORTH 89 DEGREES 58 MINUTES 42 SECONDS EAST 170.94 FEET; THENCE PARALLEL WITH SAID WESTERLY LINE OF LOT 11, NORTH 17 DEGREES 09 MINUTES 16 SECONDS EAST 112.84 FEET TO THE SOUTHERLY LINE OF SAID LAND DESCRIBED IN THE DEED TO JESUS SPUZ, RECORDED IN BOOK 4015 PAGE 192 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID LAST MENTIONED SOUTHERLY LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 204.13 FEET TO THE POINT OF BEGINNING.

EXCEPTING ALL OIL, GAS AND OTHER HYDROCARBONS SUBSTANCES IN, UNDER AND/OR THAT MAY BE PRODUCED FROM A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND, BUT WITHOUT ANY USE OF OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE THEREOF TO A DEPTH OF 500 FEET THEREFROM, AS RESERVED AND EXCEPTED IN THE DEED FROM MARGARET BOTT, A WIDOW, RECORDED APRIL 23, 1953 IN BOOK 41546 PAGE 133 OF OFFICIAL RECORDS.

ALSO, EXCEPTING (FROM THAT PORTION OF SAID LAND DESCRIBED IN DEEDS MENTIONED HEREAFTER)

16-2/3 PERCENT AND EXCEPTING 33-1/3 PERCENT OF ALL MINERAL RIGHTS, INCLUDING ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES WHICH MAY BE LOCATED IN, ON OR UNDER SAID LAND, AS RESERVED BY HENRY G. LYMAN AND EDYTHE E. SUTTER RESPECTIVELY IN DEED RECORDED MARCH 4, 1946 IN BOOK 22850 PAGE 246 OF OFFICIAL RECORDS.

ONE-HALF OF THE REMAINING MINERAL RIGHTS INCLUDING ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES WHICH MAY BE LOCATED IN, ON OR UNDER SAID LAND, AS RESERVED BY EDYTH L. SCHLAGETER, IN DEED RECORDED APRIL 23, 1952 IN BOOK 38773 PAGE 273 OF OFFICIAL RECORDS.

APN 7318-016-027, 7318-016-030, 7318-016-005

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1748-18
CONDITIONAL USE PERMIT NO. 1077-18**

GENERAL CONDITIONS

1. City adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program. In accordance with this IDIF program, the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible. Based on the proposed 152 truck spaces, the developer will be responsible for development impact fees in the amount of for payment of one-time impact fees at the rate of \$694.78 per truck space, or \$105,606.56 (DIF Amount), provided that if the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. No building permits shall be issued prior to the full payment of the DIF Amount. See the following City webpage for additional information: <http://ci.carson.ca.us/CommunityDevelopment/IDIFProgram.aspx>.
2. City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Based on the adopted CFD, the subject property falls under Industrial Zone 1 and will be charged accordingly. The base year CFD fee has been established at \$2,616.10 per acre. Calculated CFD for this site up to June 2020 is \$14,126.94. See the following City webpage for additional information: <http://ci.carson.ca.us/communitydevelopment/CFD.aspx>.
3. If a building permit for Design Overlay Review No. 1782-18 and Conditional Use Permit No. 1077-18 are not issued within **two years** of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
4. 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.
5. The applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") 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.
6. The applicant shall comply with all city, county, state and federal regulations applicable to this project.

7. 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.
8. 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.
9. 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.
10. 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.
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 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.
14. Indemnification. The applicant, 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.

AESTHETICS

15. 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.
16. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
17. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
18. Graffiti shall be removed from all areas within three (3) days 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.).
19. The proposed 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.

FENCE/WALLS

20. Perimeter walls and fences shall be architecturally coordinated with the project building and subject to the approval of the Planning Commission.
21. Where walls are used, they shall be of decorative material to include stucco block, slump stone or split face.
22. New 8-foot high chain link high fencing & gates shall be constructed along the northern and eastern property lines. An 8-foot high concrete block wall shall be

constructed behind a 25-foot landscaped setback along Maciel Avenue. A new 8-foot high wrought iron fence and gates shall be constructed along Dominguez Street.

LANDSCAPE/IRRIGATION

23. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
24. 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.
25. The proposed irrigation system shall include best water conservation practices.
26. Installation of 6" x 6" concrete curbs are required 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. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
28. 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. Such plans are to be approved by the Planning Division.

LIGHTING

29. Shall provide adequate lighting for the parking areas.
30. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
31. 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.

PARKING

32. All driveways shall remain clear. No encroachment into driveways shall be permitted.
33. All areas used for movement, parking, loading, or storage of vehicles shall be paved and in accordance with Section 9162.0 of the Zoning Ordinance.

TRASH

34. Trash collection shall comply with the requirements of the City's trash collection company.

UTILITIES

35. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
36. The applicant shall remove at his/her own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
37. Any aboveground utility cabinet or equipment cabinet shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.

BUILDING AND SAFETY DIVISION

38. Submit development plans for plan check review and approval.
39. Obtain all appropriate building permits and an approved final inspection for the proposed project.
40. Prior to issuance of building permit, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

FIRE DEPARTMENT

41. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements.

ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

42. The street dedication and street improvement requirements of CMC §9161.1 and §9161.3 through §9161.7 shall not apply due to the exceptions stated in CMC § 9161.2, except as otherwise required by these conditions.
43. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
44. A construction permit is required for any work to be done in the public right-of-way.

45. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to issuance of permit by Engineering Division.
46. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of permit by Engineering Division.
47. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
48. The Developer shall submit an electronic copy of **approved** plans (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*), to the City of Carson – Engineering Division, prior to the issuance of construction permits.
49. Off-site improvements (eg. driveways, sidewalk, parkway drains, trees, curb/gutter etc) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans. Prior to issuance of grading permit, developer shall obtain clearance from City of Carson Engineering Division.
50. The Developer shall submit improvement plans to the Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted. The following are required as a part of the projects improvement plans:
 - (a) Install curb and gutter within the public right of way along S Maciel Avenue abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - (b) Remove the (2) two unused driveway approaches within the public right of way along Dominguez Street and the (1) one unused driveway approach within the public right of way along 209th Street abutting this proposed development and replace all three (3) driveways with full height curb and gutter and sidewalk, or parkway landscaping per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
51. Comply with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.
52. Per City of Carson Municipal Code Section 5809, Developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from

construction activities and facility operations to the satisfaction of the City Engineer.

53. All infrastructure necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
54. The applicant shall improve the curb return on the Northeast corner of Maciel Avenue and Dominguez Street with landscaping, and appropriate permits shall be secured as required by the Engineering Division.

BUSINESS LICENSE

55. 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.