

RESOLUTION NO. 20-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING GENERAL PLAN AMENDMENT NO. 107-19 TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO LIGHT INDUSTRIAL, FOR A 14.2-ACRE PROPERTY LOCATED AT 2112 EAST 223RD STREET (APN 7315-008-049)

WHEREAS, an application was duly filed by the applicant, Mark Payne, on behalf of Panattoni Development Company, with respect to the real property located at 2112 E. 223rd Street in the City of Carson (Los Angeles County Assessor Parcel No. 7315-008-049), and legally described in Exhibit “A” attached hereto, requesting the following entitlements to construct three tilt-up warehouses totaling 292,400 square feet with associated surface parking on a 14.2 acre project site:

- General Plan Amendment No 107-19 to change the land use designation from Business Park (BP) to Light Industrial (LI);
- Zone Change No. 183-20 to change the existing zoning from MH-D (Manufacturing, Heavy; Design Overlay) to ML-D (Manufacturing, Light; Design Overlay);
- Design Overlay Review No. 1813-19 to permit the design of the proposed project;
- A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 29, 2020, at which time it considered all evidence presented, both written and oral, and at the conclusion of the public hearing, the Planning Commission adopted Resolution No. 20-2699 approving DOR No. 1813-19 (subject to required City Council approvals) and recommending the City Council approval of MND/MMRP, adoption of Zone Change No. 183-20, and adoption of General Plan Amendment No. 107-19 to change the General Plan Land Use designation of the property from Business Park to Light Industrial, subject to the conditions of approval attached to said resolution as Exhibit “B”; and

WHEREAS, the City Council introduced Ordinance No. 20-2013 on August 18, 2020, which upon adoption would approve Zone Change No. 183-20 as recommended by the Planning Commission; and

WHEREAS, California Government Code Section 65356 requires that a legislative body shall adopt or amend a general plan by resolution; and

WHEREAS, the City Council desires, by this resolution, to approve the MND/MMRP and General Plan Amendment No. 107-19 for the proposed project as recommended by the Planning Commission, in connection with its approval of the other entitlements associated with

the Project pursuant to Planning Commission Resolution No. 20-2699 and City Council Ordinance No. 20-2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct, and are incorporated herein by reference as though set forth in full.

SECTION 2. The City Council finds that the proposed project, as mitigated pursuant to the Initial Study/Mitigated Negative Declaration (“IS/MND”) (as revised) and the Mitigation Monitoring and Reporting Program (“MMRP”) for the Project, which are available for public review at <http://ci.carson.ca.us/CommunityDevelopment/Panattoni.aspx> and are incorporated into this Resolution by reference, will not have a significant effect on the environment. The Planning Division publicly circulated the Draft IS/MND for a period of 30 days from June 18, 2020 through July 17, 2020. With the inclusion of the proposed mitigation measures in the revised MND and MMRP and made conditions of approval of the proposed project, any and all adverse environmental impacts of the proposed project are mitigated to the maximum extent feasible and below a level of significance. The City Council further finds that:

- a) The IS/MND has been prepared in compliance with CEQA.
- b) Publication and public circulation of the Draft IS/MND complied with the requirements of CEQA.
- c) Pursuant to Public Resource Code § 21082.1(c)(3), the IS/MND and MMRP reflect the independent judgment and analysis of the City as lead agency. The IS/MND and MMRP were prepared by a consultant hired by the project applicant and were reviewed and analyzed independently by the City, including its Planning staff, the Planning Commission, and the City Council.
- d) The IS/MND and MMRP were recommended for approval by the Planning Commission to the City Council at a duly noticed public hearing on the proposed project on July 29, 2020.
- e) Per Section 15074(b) of the CEQA Guidelines, on the basis of the whole record before it, including the comments received during the public review period (all of which have been addressed in the revised MND), there is no substantial evidence that the project will have a significant effect on the environment.

SECTION 3. The City Council finds as follows with respect to General Plan Amendment No. 107-19:

- a) State law requires compatibility/consistency between land use zoning classifications and the General Plan. Amending the General Plan land use designation from Business Park to Light Industrial will be consistent and compatible with the existing commercial and industrial uses in the surrounding areas of the subject site.
- b) The proposed General Plan Amendment is consistent with the General Plan goals and policies. The proposed project advances the General Plan’s goals and policies related to land use and economic development.
 - 1. The proposed project fulfills General Plan Policy LU-7.3 by creating a buffer screening a regional/commercial use from heavy industrial surrounding uses.

2. The proposed project fulfills General Plan Goal LU-7 by locating compatible uses adjacent to one another.
3. The proposed project fulfills General Plan Goal ED-2 by creating new wealth/jobs with new business tenants.

SECTION 4 Based on the aforementioned findings, including without limitation those set forth in Section 2, the City Council approves the revised IS/MND and MMRP. In the event of any inconsistencies between the mitigation measures as set forth in the revised IS/MND and the MMRP, the MMRP shall control. 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 5. Based on the aforementioned findings, including without limitation those set forth in Section 3, the City Council hereby approves General Plan Amendment No. 107-19 changing the land use designation on subject property (APN 7315-008-049) from Heavy Industrial to Light Industrial.

SECTION 6. This resolution shall be effective immediately upon its adoption.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED and ADOPTED this 18th day of August, 2020

MAYOR ALBERT ROBLES

ATTEST:

CITY CLERK DONESIA GAUSE-ALDANA

APPROVED AS TO FORM:

SUNNY K. SOLTANI, CITY ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION

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

THAT PORTION OF THE 398.11 ACRE TRACT ALLOTTED TO ANA JOSEFA DOMINGUEZ DE GUYER, BY DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, IN CASE NO. 3284 OF THE SUPERIOR COURT OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THAT CERTAIN 10 ACRE PARCEL OF AND DESCRIBED IN THE DEED TO THE AMERICAN CHEMICAL CORPORATION, RECORDED ON JULY 10, 1959 AS INSTRUMENT NO. 4139 IN BOOK D-533 PAGE 307, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 89 DEGREES 45' 25" WEST 469.06 FEET; THENCE NORTH 0 DEGREES 14' 35" WEST 434.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 45' 25" EAST 444.06 FEET; THENCE SOUTH 0 DEGREES 14' 35" EAST 42.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 296.34 FEET; THENCE SOUTHERLY ALONG SAID CURVE 178.22 FEET (THROUGH AN ANGLE OF 34 DEGREES 24' 00") TO A POINT; THENCE SOUTH 37 DEGREES 29' 07" EAST 67.14 FEET; THENCE SOUTH 42 DEGREES 44' 35" EAST 112.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEAST HAVING A RADIUS OF 296.04 FEET; THENCE EASTERLY ALONG SAID CURVE 123.38 FEET (THROUGH AN ANGLE OF 23 DEGREES 48' 56") TO A POINT, A RADIAL LINE AT SAID POINT BEARS NORTH 23 DEGREES 26' 29" EAST; THENCE NORTH 89 DEGREES 43' 25" EAST TO THE WESTERLY LINE OF THE LAND DESCRIBED IN DEED TO WHITE STAR OIL COMPANY, RECORDED IN BOOK 2819 PAGE 159, OF OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY LINE NORTH 17 DEGREES 11' 52" EAST 972.53 FEET TO THE SOUTHERLY LINE WILMINGTON STREET, (NOW 223RD STREET) 66.00 FEET WIDE; THENCE SOUTH 89 DEGREES 45' 25" WEST, ALONG SAID WILMINGTON STREET, 1082.51 FEET TO A LINE BEARING SOUTH 0 DEGREES 14' 35" EAST AND PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE ALONG LAST SAID LINE, SOUTH 0 DEGREES 14' 35" EAST TO THE TRUE POINT OF BEGINNING.

EXCEPTING ALL OIL, GAS AND OTHER HYDROCARBONS AND ALL OTHER MINERALS IN, UNDER OR RECOVERABLE FROM SAID REAL PROPERTY HEREINABOVE DESCRIBED AND THE RIGHT TO EXPLORE, MINE, DRILL AND OPERATE FOR THE SAME AND TO PRODUCE AND REMOVE THE SAME BUT WITHOUT THE RIGHT TO ENTER UPON THE SURFACE OF SAID REAL PROPERTY HEREINABOVE DESCRIBED FOR SAID PURPOSES, AS EXCEPTED BY RICHFIELD OIL CORPORATION, A CORPORATION, IN DEEDS RECORDED JULY 10, 1959 IN BOOK D-533 PAGE 307, OFFICIAL RECORDS, AS DOCUMENT NO. 4139 AND AS RESERVED IN DEED RECORDED JUNE 14, 1942 AS DOCUMENT NO. 4764 IN BOOK D-1649 PAGE 371 OF OFFICIAL RECORDS.

APN: 7315-008-049