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Title: CANCELLATION OF ADDITIONAL PUBLIC HEARINGS TO CONSIDER: (1) ENTITLEMENT AGREEMENT NO. 24-18; (2) CONDITIONAL USE PERMIT NO. 1074-18; (3) GENERAL PLAN AMENDMENT NO. 108-18; (4) KL FENIX CONTAINER PARKING SPECIFIC PLAN NO. 18-18; AND (5) MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION OF A 53,550 SQUARE FOOT WAREHOUSE AND OFFICE BUILDING, AND A TEMPORARY CONTAINER PARKING FACILITY WITH 475 TRUCK AND CONTAINER PARKING SPACES ON A 14.33 ACRE SITE LOCATED AT 20601 MAIN STREET (CITY COUNCIL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. KL Fenix Staff Report -Nov 17, 2020

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, February 02, 2021

Discussion

SUBJECT:

CANCELLATION OF ADDITIONAL PUBLIC HEARINGS TO CONSIDER: (1) ENTITLEMENT AGREEMENT NO. 24-18; (2) CONDITIONAL USE PERMIT NO. 1074-18; (3) GENERAL PLAN AMENDMENT NO. 108-18; (4) KL FENIX CONTAINER PARKING SPECIFIC PLAN NO. 18-18; AND (5) MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION OF A 53,550 SQUARE FOOT WAREHOUSE AND OFFICE BUILDING, AND A TEMPORARY CONTAINER PARKING FACILITY WITH 475 TRUCK AND CONTAINER PARKING SPACES ON A 14.33 ACRE SITE LOCATED AT 20601 MAIN STREET (CITY COUNCIL)

I. SUMMARY

On August 18, 2020, City Council considered this item at a public hearing. At the hearing, several letters of opposition were presented to the City Council. The applicant's representatives also presented their concerns and disagreements with certain aspects of the Planning Commission approval. After discussion and deliberation on the project, Council voted 3-2 to continue the item for 90 days after directing staff to explore sources of

funding for remediation of the organic landfill site.

On November 17, 2020, Staff brought back the matter to the City Council with the requested information. Several unresolved issues remained between the applicant and staff which were summarized in the Staff Report (Exhibit 1). After deliberation and discussion, City Council directed the applicant to work with Staff and bring back a project that would be in keeping with the vision for the area. The public hearing was continued for 90 days (February 2, 2021). After the conclusion of the hearing on November 17, 2020, the applicant informed staff of its desire to withdraw its application for the project. On November 30, 2020, notices were mailed to property owners and occupants within a 750' radius and posted to the project site in accordance with Municipal Code requirements informing them of applicant's withdrawal of the application and cancellation of further public hearings.

Because the Public Hearing was continued to this date, the appropriate action would be to open the hearing, take any testimony, and close the hearing without any further action because the project has been withdrawn.

II. RECOMMENDATION

TAKE the following actions:

1. **OPEN** the public hearing, **TAKE** public testimony, and **CLOSE** the public hearing;
2. NO FURTHER ACTION IS REQUIRED SINCE APPLICANT WITHDREW THE PROJECT.

III. ALTERNATIVES

None

IV. BACKGROUND

The subject property was operated as the Gardena Valley Landfill No. 1 & 2 from 1956 until 1959 and accepted approximately 75% residential municipal waste and 25% construction or industrial wastes. Industrial waste included crude oil derivatives (crude oil and tank bottoms), paint sludge, auto wash sludge, latex, molasses, cutting oil, and other semi-liquids. The average depth of the waste materials is approximately 25 feet. The former landfill was capped with approximately 5 feet of soil at the termination of landfill operations in 1959. The site has remained vacant ever since.

V. FISCAL IMPACT

None

VI. EXHIBITS

1. City Council Staff Report November 17, 2020 (pgs.3 -13)

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