



Legislation Details (With Text)

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Title:	A PUBLIC HEARING TO CONSIDER APPEAL OF PLANNING COMMISSION DECISION TO APPROVE DESIGN OVERLAY REVIEW NO. 1864-21 FOR A 60,558-SQUARE-FOOT PROPOSED TILT-UP WAREHOUSE FACILITY LOCATED AT 18001 SOUTH MAIN STREET (CITY COUNCIL)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Exhibit 1 PC Staff Report MAR 22, 2022, 2. Exhibit 2 Transportation Technical Memorandum 03-09-22, 3. Exhibit 3 Appeal Application from Council Member Jim Dear 03-30-22, 4. Exhibit 4 Draft CC Resolution 9th St. Partner				

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

Tuesday, May 17, 2022

Special Orders of the Day

SUBJECT:

A PUBLIC HEARING TO CONSIDER APPEAL OF PLANNING COMMISSION DECISION TO APPROVE DESIGN OVERLAY REVIEW NO. 1864-21 FOR A 60,558-SQUARE-FOOT PROPOSED TILT-UP WAREHOUSE FACILITY LOCATED AT 18001 SOUTH MAIN STREET (CITY COUNCIL)

I. SUMMARY

On March 22, 2022, the Planning Commission by a 6-0 vote approved Design Overlay Review No. 1864-21 for a proposed tilt-up warehouse facility located at 18001 South Main Street.

On March 30, 2022, Councilmember Jim Dear filed an appeal of the Planning Commission's decision (Exhibit No. 3). Carson Municipal Code Section 9173.4, Appeals, states appeal applications by a member of City Council should not provide a statement of grounds for the appeal. This Section further provides that the City Council may take one of the actions described below within 60 days of filing an appeal. In addition, this Section states that unless the item is referred back to the Planning Commission, the City Council's decision shall be supported by written findings.

1. Affirm Planning Commission Decision. The City Council can make this affirmation and uphold the Planning Commission's decision to approve the project by relying on the

same findings the Planning Commission made. A proposed resolution to this effect is attached as Exhibit No. 4. The City Council could include additional conditions of approval or make other relatively minor changes to the approval, but this would constitute a modification (see item no. 3 below); or

2. Refer the Matter Back to the Planning Commission with Instructions. This is the most viable option to the City Council if the City Council has significant issues with the project and would like the Planning Commission to reconsider this project. It would be necessary for the City Council to provide specific direction to staff and the Planning Commission if this option is preferred by the City Council; or
3. Modify Planning Commission's Decision. Since staff is not aware of the City Council's concerns regarding this project, it would be difficult, if not impossible, for staff to predict the nature of the modification and make the findings for a resolution that could be presented at the appeal hearing to modify Planning Commission's decision; instead, it would be necessary for staff to bring back a resolution, with appropriate findings based on the appeal hearing, for subsequent Council approval. Since the 60-day period expires on Monday, May 29, 2022, staff would bring back a resolution at the May 23, 2022 Adjourned Regular Meeting to allow staff time to prepare the resolution and appropriate findings for adoption; or
4. Reverse the Planning Commission's Decision. Since staff is not aware of the City Council's concerns regarding this project, it would be very difficult if not impossible to make the findings for resolutions to reverse the Planning Commission's decision, as stated above. At the Council's discretion, staff would bring back a resolution on May 23, 2022 to allow staff time to prepare the resolution and appropriate findings for adoption.

II. RECOMMENDATION

TAKE the following actions:

1. **OPEN** the Public Hearing, **TAKE** public testimony, **CLOSE** the Public Hearing.

2. TAKE one of the following actions:

A. WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 22-077, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AFFIRMING, PURSUANT TO CARSON MUNICIPAL CODE SECTION 9173.4(C)(2) (a), THE DECISION OF THE PLANNING COMMISSION TO ADOPT PLANNING COMMISSION RESOLUTION NO. 22-2827 APPROVING DESIGN OVERLAY REVIEW NO. 1864-21 FOR A PROPOSED TILT-UP WAREHOUSE FACILITY AT 18001 SOUTH MAIN STREET (the "Planning Commission Decision"); or

B. DIRECT staff to bring back a proposed resolution on the May 23, 2022 City Council

hearing modifying the Planning Commission Decision in accordance with Council direction provided at or upon the conclusion of the appeal hearing, and based on appropriate supporting written findings as discussed or considered at the appeal hearing; or

C. **REFER** the matter back to the Planning Commission for further consideration with instructions; or

D. **DIRECT** staff to bring back a proposed resolution on the May 23, 2022 City Council hearing reversing the Planning Commission Decision, based on appropriate supporting written findings as discussed or considered at the appeal hearing.

III. **ALTERNATIVES**

TAKE another action the City Council deems appropriate.

IV. **BACKGROUND**

On March 22, 2022, the Planning Commission considered Design Overlay Review (DOR) No.1864-21 with a staff recommendation for approval.

DOR No. 1864-21 allows for the demolition of an existing 58,965 square-foot vacant warehouse and construction a new 60,558-square-foot tilt-up warehouse building including 4,000 square feet of ground floor office space and 4,000 square feet of mezzanine office space, as well as 7 truck loading docks and surface parking.

At the conclusion of the public hearing, the Planning Commission adopted Resolution No. 22-2827, approving the requested entitlements subject to the conditions of approval attached to the resolution. (Exhibit Nos. 1 and 2)

Site History

The subject property has historically been an industrial property. The existing vacant warehouse building was constructed in 1961. Gasket Manufacturing Company Inc. used the property from 1969 until August 2021 as a machine shop.

Site Improvements

- The proposed warehouse with office facility includes approximately 52,558 square feet of warehouse space with 8,000 square feet of office space.
- A new parking lot will be installed that will include American with Disabilities Act (ADA) accessible parking.
- Landscape planters with permanent irrigation and a trash enclosure will also be installed.
- Complete demolition and removal of the industrial facility currently existing on the site.

Access

- The proposed warehouse facility will have two vehicular access points from Main

Street. The internal driveways will provide full access to the warehouse facility and are designed to meet Fire Department turning radius requirements.

Parking & Traffic

The applicant proposes 74 parking spaces; 71 standard stalls and 3 ADA compliant parking stalls.

A Transportation Technical Memorandum (Exhibit No. 3), completed by the applicant's environmental consultant and reviewed and approved by the City's Traffic Engineer, concluded the following:

- The proposed project would generate 3 net new trips and no additional AM or PM peak hour trips.
- The proposed Project would not result in unacceptable queueing conditions into or out of the Project site. No impacts would occur.
- Bicyclist and pedestrian safety would be maintained at existing levels in the area since the project is not changing the existing land use and would result in a negligible increase in project related trips.
- Based on the Los Angeles County Transportation Impact Analysis Guidelines the project meets the low trip generation VMT screening criterion and would be screened from conducting a project specific VMT analysis.

Additionally, if Site Plan and Design Overlay Review No. 1864-21 is deemed to constitute a discretionary project within the meaning of CEQA, Site Plan and Design Overlay Review No. 1864-21 is categorically exempt from CEQA pursuant to CEQA's Class 2 Categorical Exemption (14 CCR §15302), which states as follows:

“§ 15302. Replacement or Reconstruction.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- (a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent;
- (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the

undergrounding.”

Site Plan and Design Overlay Review No. 1864-21 consists of the replacement of an existing structure/facility (an existing 58,965 square-foot vacant warehouse) with a new structure/facility of substantially the same size, purpose, and capacity (a new 60,558-square foot tilt-up warehouse building) on the same site. The Class 2 Categorical exemption would apply to exempt Site Plan and Design Overlay Review No. 1864-21 from CEQA review even if Site Plan and Design Overlay Review No. 1864-21 were considered a discretionary project within the meaning of CEQA.

V. FISCAL IMPACT

In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code, the applicant, property owner, and/or successor to whom these project entitlements are assigned (“Developer”) shall be responsible for payment of a one-time development impact fee at the rate in effect at the time of issuance of building permits, currently (for Fiscal Year 2021-2022, effective July 1, 2021, through June 30, 2022) set at \$2.63 per square foot of industrial building constructed. Based on the current rates, the interim development impact fees for the proposed development are estimated at \$159,267.54 [60,558 sq. ft. (Proposed Project) X \$2.63 per unit = \$159,267.54]. If the Project increases or decreases in size, the development impact fee amount will be adjusted accordingly at the same rate.

In 2018, City adopted Community Facilities District (CFD) No. 2018-01, and City may adopt a similar community facilities district in the future to use instead of CFD No. 2018-01 (collectively referred to herein as the “CFD”), to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City uses this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services. In 2019, the City undertook a Fiscal Impact Analysis (“FIA”) and uses the analysis generally to determine the impacts in CFD No. 2018-01.

Based on the FIA, the subject property falls under the “Industrial Zone 1” category. Based on a 2.67-acre development, the current estimated annual amount for ongoing services is \$7,997.10, subject to annual adjustments every July 1st.

VI. EXHIBITS

1. Planning Commission Staff Report from March 22, 2022 (pgs. 6-57)
2. Transportation Technical Memorandum (pgs. 58-86)
3. Appeal Application from Councilmember Jim Dear (pg.87)
4. Draft City Council Resolution No. 22-077 Upholding PC Decision (pgs. 88-91)
 - a. Planning Commission Resolution No. 22-2827 (pgs.92-105)

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