



CARSON PLANNING COMMISSION STAFF REPORT

DATE: February 27, 2024 - *Continued*
FROM: Christopher Palmer, AICP - Planning Manager
BY: Jacob Collins, AICP – Assistant Planner
SUBJECT: Site Plan and Design Review 1940-23 – Jack in the Box

PROJECT/APPLICANT INFORMATION

Project Summary: A request for approval of Site Plan and Design Review for demolition of an existing commercial building and construction of new 1,885 square foot drive-through restaurant
Project Location: 17625 S. Central Avenue (APN # 7319-017-030)
Zoning: Commercial, General – Design Overlay (CG-D)
Project Applicant: Marks Architects – Gabriela Marks
Project Owner: Connor Family 2004 Trust – James Connor, Tr.

I. OVERVIEW

A. Introduction

On the regularly scheduled Planning Commission meeting of February 13, 2024, the public hearing was opened, public comment was taken, and the hearing was continued to the Planning Commission’s regularly scheduled meeting of February 27, 2024.

Section 9131.1 of the Carson Municipal Code (CMC) automatically permits the use of a drive-through restaurant in the CG zone. However, section 9172.23 requires a Site Plan and Design review for new construction in a Design Overlay (D) zone. When the cost estimate of that new construction exceeds \$50,000, the Site Plan and Design Review Application is subject to approval by the Planning Commission. This Site Plan and Design Review Application is for the demolition of an existing two-story commercial building and construction of a new 1,885 square foot drive-through restaurant that exceeds a cost estimate of \$50,000.

Section 9172.23.D.1. states that the following findings need to be made in the affirmative to approve a development plan:

- a. Compatibility with the General Plan and surrounding uses.
- b. Compatibility of 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.

- c. Convenience and safety of circulation for pedestrians and vehicles.
- d. Attractiveness, effectiveness, and restraint in signing graphics and color.

B. Project Description

As shown in the attached site plan (Attachment 1) the proposed project would construct a new restaurant on a 0.55-acre lot (23,925 square feet) with an accompanying double-lane drive through that runs along Central Avenue and Radbard Street. Drive-through orders would be placed on the eastern side of the building along Central Avenue and the drive-through pickup window would be located on the north side of the building along Radbard Street. A 10-foot landscaped setback is located between the drive-through and the public sidewalk along Radbard and Central. Walk-in customers would enter on the south side of the building.

The restaurant would be accessed via two driveways, one on Radbard and one on Central. Drive-through orientation encourages customers to enter on Central and exit on Radbard. The two driveways would also provide access to 19 proposed parking spaces as follows:

- 14 standard spaces (9'x19')
- 4 EV capable spaces (9'x19')
- 1 accessible space

In addition, there would be a bike rack accommodating bicycle parking installed near the dining room entrance and a total of 6,671 square feet of landscaping (27.89 percent) located throughout the site. A trash enclosure containing a trash bin, recycling bin, and organics bin would be provided at the southwest corner of the parking lot.

As shown on the attached elevations (Attachment 2), the building is proposed to be approximately 21 feet tall. The facade facing Central Avenue would consist of Corrugated wall panels trimmed with aluminum coping, wood-colored porcelain wall tile, and a cement plaster area that includes a display poster panel. An Aluminum storefront system and signage will be installed on the north, south, and east portions of the building. The west facing elevation will consist of cement plaster colored red and gray as well as signage.

C. Existing Conditions

1. Site Conditions

The project site is graded and flat and is currently developed with a 9,224 square foot, two-story commercial and office building. This building was constructed in 1981. The property is developed with a parking lot and trash enclosure located directly on the western property line.

2. Land Use Information

The project site is surrounded by single family residential properties to the west, commercial properties to the north, and Carson Christian Church and School to the South. Across Central Avenue to the east are industrial properties located in the City of Compton.

The following table summarizes the surrounding land uses, zoning, general plan designations, approximate building heights and existing density.

Table 1 - Land Use Summary Table

	Existing Use	Zoning	General Plan
Subject Site	Commercial/Office	Commercial, General – Design Overlay (CG-D)	Corridor Mixed Use, (CMU)
North of Subject Site (across Radbard St)	Drive-through restaurant	Commercial, General – Design Overlay (CG-D)	Corridor Mixed Use, (CMU)
South of Subject Site	Church and School	Commercial, General – Design Overlay (CG-D)	Corridor Mixed Use, (CMU)
West of Subject Site	Single-Family Residential	Residential, Single Family (RS)	Medium Density Residential (MDR)
East of Subject Site (across Central Ave)	City of Compton	N/A	N/A

II. ANALYSIS

A. General Plan Consistency

The proposed drive-through restaurant is consistent with the General Plan and General Plan designation (Corridor Mixed Use) of the site for the following reasons:

- The Corridor Mixed Use land use designation allows commercial uses such as the proposed drive-through restaurant.
- The proposed project includes bicycle parking racks which would promote bicycling, a guiding policy in the circulation element.
- The proposed project meets parking demand by providing adequate parking facilities.

B. Zoning Ordinance Compliance

The proposed development project is consistent with the Zoning (Commercial, General – Design Overlay – CG-D) designation of the site, which automatically permits drive-through restaurants. The proposed development complies with the following development and design standards of the CMC:

Table 2 – Zoning Compliance Table

Code Section	Requirement	Proposed	Complies?
9131.1 – Uses permitted	Must be a permitted use	Drive-through restaurant is automatically permitted	YES
9136.12 - Building Height	30' Maximum	21'	YES
9136.23 - Central Avenue (Front) Setback	20' Minimum	24'	YES
9136.24 - Radbard (Side) Setback	10' minimum	21'6"	YES
9136.24 - South Property Line (Side) Setback	No setback required	10'	YES
9136.25 - West Property Line (Rear) Setback	10' minimum	10'	YES
9136.29 – Encroachments	Must meet encroachment requirements	Parking proposed to encroach in front setback and meets requirements	YES

C. Site Plan and Design Review Application

Section 9172.23.D1 of the CMC allows for the approval of a development plan when the following findings can be made:

(1) Compatibility with the General Plan and surrounding uses.

This proposed use of the property as a drive-through restaurant is consistent with the General Plan land use designation for this site. Additionally, Policy CGD-P-4 of the Carson General Plan requires high-quality building materials and the location of entrances and windows placed in a way that creates attractive frontages on primary streets. The inclusion of a complete storefront façade along Central Avenue with modern design and building materials meets this requirement.

(2) Compatibility of 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.

The proposed development is designed in a way that ensures compatibility with surrounding uses. The location of the drive-through along Radbard and Central meets this goal by being located as far as possible from the nearby residences along the west property line. This layout serves to reduce potential noise issues that might arise if the drive-through were to be located on the western side of the property. The trash enclosure on the southwest side of the lot meets the required 10-foot side and rear setback and demonstrates an improvement from the existing site where the enclosure is located directly on the western property line.

The scale of construction is consistent with commercial development near the 91 freeway.

(3) Convenience and safety of circulation for pedestrians and vehicles.

The proposed site layout promotes convenience and safety for pedestrians and vehicles by encouraging customer traffic to enter the site on Central Avenue away from potential trash and delivery trucks that would be operating near the driveway entrance on Radbard Steet. Customers utilizing the drive-through would be able to exit onto Radbard street and utilize the traffic light to get back onto Central Avenue. This orientation also allows for convenient access for vehicles traveling to and from the 91 freeway. An ADA accessible path of travel runs from Central to the dining-room entrance to allow for safe and convenient access to the restaurant for pedestrians.

(4) Attractiveness, effectiveness, and restraint in signing graphics and color.

- All signage to be associated with this project will exhibit attractiveness, effectiveness, and restraint in signing graphics and color.

D. Public Hearing Notice

Public Notice (Attachment 4) was given in accordance with Chapter 9173.22 of the CMC. The Planning Department mailed notification to property owners within a 750-foot radius of the site and posted notices on-site on February 1, 2024 and February 15, 2024.

E. Environmental Analysis

The proposed project is limited to Site Plan and Design Review pursuant to CMC Section 9172.23. CEQA applies only to discretionary projects proposed to be carried out or approved by public agencies, and the discretionary component of an action must give the agency the authority to consider a project's environmental consequences to trigger CEQA. Although Site Plan and Design Review approvals pursuant to CMC 9172.23(B)(1) involve discretion of the Planning Commission in applying the facts to determine if the required affirmative findings of CMC 9172.23(D) can be made, the Planning Commission's discretion is limited to the design-related issues included in the required findings. Accordingly, the City cannot impose conditions of approval that constitute environmental impact mitigation measures for DOR No. 1940-23 exceeding the scope of such design-related issues. Additionally, design-related issues such as those found in CMC 9172.23 have been found not to require the separate invocation of CEQA, as it is common sense that such design-related issues do not relate to the potential for whether a project causes a significant effect on the environment. (Pub. Res. Code §21080; *McCorkle Eastside Neighborhood Group v. City of St. Helena*, 31 Cal.App.5th 80 (2018)).

In the alternative, pursuant to State CEQA Guidelines Section 15303, this review is covered by the CEQA Categorical Exemption for new construction of a restaurant not involving the use of significant amounts of hazardous materials and not exceeding 2,500 square feet in floor area. The proposal is therefore exempt from the provisions of CEQA. Upon Planning Commission's action, the applicant will file the Notice of Exemption with the Los Angeles County Clerk's office in compliance with CEQA.

III. CONCLUSION AND RECOMMENDATION

The proposed project to demolish an existing commercial building and construct a new 1,885 square foot drive through restaurant meets the findings required for approval of a Site Plan and Design Review Application. The design of the site complies with the General Plan and Carson Municipal Code Design Standards by ensuring that the majority of parking lot and drive-through activity is positioned away from the nearby residences while also providing safe and convenient access for both local and regional customers. Additionally, the design and scale of the building is consistent with what is expected of commercial activity along the 91 freeway.

Accordingly, Staff is recommending that the Planning Commission adopt Planning Commission Resolution 24-XXXX (Attachment 5), "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1940-23, FOR PROPOSED DEMOLITION OF AN EXISTING COMMERCIAL BUILDING AND DEVELOPMENT OF A NEW DRIVE-THROUGH RESTAURANT AT 17625 CENTRAL AVENUE".

ATTACHMENTS

- 1) Site Plan
- 2) Elevations
- 3) Vicinity/ Zoning Map
- 4) Public Hearing Notice
- 5) Drive-Through Queuing Analysis
- 6) Trip Generation Assessment
- 7) PC Resolution 24-XXXX