

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 06-2082

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING VARIANCE NO. 477-06 AND RECOMMENDING APPROVAL OF DESIGN
OVERLAY REVIEW NO. 924-05 TO THE CARSON REDEVELOPMENT AGENCY**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Victor Mesa, represented by Braxton Dennis, with respect to real property located at 22005 South Main Street, and described in Exhibit "A" attached hereto, recommending approval of Design Overlay Review No. 883-04 to the Carson Redevelopment Agency to construct a new commercial center, which includes three buildings of approximately 2,900, 3,500, and 2,300 square feet. The 2,300 square-foot building is intended for restaurant use and includes 300 square feet for outdoor seating; the remaining buildings are intended for office use, but may be converted to other commercial uses such as retail. The project includes paving, landscaping, signage, and related site improvements. Approval of Variance No. 483-06 is also requested to construct two of the buildings along the southern property line with zero setback. The subject property is located in the CG-D (Commercial, General; Design Overlay) zoning district and within Redevelopment Project Area No. 1.

A public hearing was duly held on February 13, 2007, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial with which the proposed use is compatible. The multi-tenant commercial center will be complementary to the surrounding commercial and residential uses and will be appropriate for the subject property. Adjacent to the subject property is a commercial center to the north and northeast; a restaurant to the east across Main Street; and single family residences to the south and west;
- b) The project will be compatible in architecture and design to existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, and other features relative to a harmonious and attractive development of the area. Design features include a painted plaster finish with a travertine base, a metal coping at the top of the parapet, metal reveals, and a steel and glass canopy above each tenant space entrance. Improvements to the site will include perimeter landscaping and a trash enclosure;
- c) The site is also adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The site is

0.74 acres in area, fairly-flat (less than 2% slope) and is surrounded by commercial and residential properties. A merger of the two separate lots or a lot line adjustment shall be required prior to a Certificate of Occupancy. Water mains, fire hydrants, and fire flow will be met per Fire Department requirements;

- d) Convenience and safety of circulation for pedestrians and vehicles will be provided. The site will be re-graded and paved pursuant to applicable standards. A total of 44 parking spaces will be provided as required by Section 9162.21 of the Carson Municipal Code. Two driveways will provide access to the site; one on Main Street and one on 220th Street. Circulation on the adjacent public streets will not be adversely impacted.
- e) To ensure attractiveness, effectiveness and restraint for existing and proposed signage, the applicant shall submit a sign program to the Planning Department for approval. The sign program shall include details for location, size, materials, color, and design of all building signs;
- f) The applicant requests a variance from Section 9136.23 of the Carson Municipal Code to reduce the required 10-foot side yard setback along the southern property line. The variance request would allow the two southern buildings to abut the southern property line. The applicant has obtained a signed consent from the homeowner's association representing the abutting property to the south. Strict compliance with the 10-foot side yard setback requirement would create an undue hardship on the development of the property because of its shape and location at the corner of an intersection. Furthermore, strict compliance with the setback requirement would deprive the applicant of privileges enjoyed by other commercial properties and under the same zoning classification in that several other commercial properties have been developed with zero setback next to residential properties. The variance request to reduce the required side yard would allow adequate parking and circulation on the subject property. Strict application of the Municipal Code would deprive the proposed commercial center of privileges enjoyed by other property in the vicinity under zoning classification. Additionally, the condominium building to the south is setback from the perimeter wall and provides adequate open space and separation. A 10-foot side yard setback area behind the proposed buildings would most likely be un-maintained and unmonitored. Thus, this area may attract crime unto the subject property and the adjacent condominium complex.

Section 4. The Planning Commission further finds that the use permitted by the proposed project will not have a significant effect on the environment as indicated in the Initial Study and Mitigated Negative Declaration prepared for this project. The proposed use will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment.

Section 5. Based on the aforementioned findings, the Commission hereby approves Variance No. 483-06 and recommends approval of Design Overlay Review No. 883-04 to the Carson Redevelopment Agency with respect to the properties described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF FEBRUARY, 2007

CHAIRMAN

ATTEST:

SECRETARY