



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 24, 2006
SUBJECT: Variance No. 470-05
APPLICANT: Roadway Express, Inc.
 P.O. Box 471
 Akron, OH 44309
REQUEST: Variance request from Sections 9146.29(K) and 9162.52(B) of the Carson Municipal Code (CMC), which requires not less than 10 feet in width of landscaping to screen a parking area, and Section 9162.62(B)(2) of the CMC, which requires that truck loading facilities, maneuvering areas, and parking spaces be screened from public view.
PROPERTY INVOLVED: 21300 S. Wilmington Ave.

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell –Chairperson			Saenz
		Pulido –Vice-Chairman			Tyus
		Faletogo			Verrett
		Graber			Wilson
		Hudson			

I. **Introduction**

Date Application Received

- June 14, 2005: Variance No. 470-05

Applicant and Property Owner

- Roadway Express, Inc.; 21300 S. Wilmington Ave.; Carson, CA 90810

Project Address

- 21300 S. Wilmington Ave.

Project Description

- The applicant is requesting a variance from Sections 9146.29(K) and 9162.52(B) of the Carson Municipal Code (CMC), which requires not less than 10 feet in width of landscaping to screen a parking area, and Section 9162.62(B)(2) of the CMC, which requires that truck loading facilities, maneuvering areas, and parking spaces be screened from public view. Approval of the variance request would allow trucks to overhang into the front yard landscaping, eliminate the requirement for truck screening, and allow an existing fence to be located along the northern property line on 213th Street east of the main entrance.
- The applicant contends that strict application of the CMC would result in practical difficulties and unnecessary hardships on the property. In particular, relocating the fence in order to provide a 10-foot wide landscaping area along 213th Street would interfere with the maneuvering area for trucks and trailers. Potentially, 18 trailer parking spaces would be jeopardized if the fence were to be relocated, thus, interfering with the existing operations at the site.
- The project site is used as a truck terminal and is 7.8 acres in size in the MH (Manufacturing, Heavy) zone.

II. **Background**

- On October 24, 2006, the Planning Commission voted 7-2 to approve the variance request and directed staff to prepare a resolution of approval to be brought back to the November 14, 2006, meeting. The Planning Commission indicated that approval of the variance request can be supported on the basis that:
 - The shape of the subject property is not perfectly rectangular, thus, creating an undue hardship on the property owner;
 - Other properties in the immediate area share the same condition as the subject property with respect to a lack of landscape screening.

III. Analysis

Required Findings: Variance Request

Section 9172.22 of the Carson Municipal Code states a variance “shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.”

There are four properties located on the 213th Street cul-de-sac. Three of the properties, including Roadway Express, provide a minimum of a 10 foot landscape setback along 213th Street without any permitted encroachments. The property located immediately north of Roadway Express at 21222 S. Wilmington Avenue does not provide the 10 foot landscape setback on 213th Street and does not provide screening of the outdoor storage. This property was developed prior to the requirement for the 10 foot landscape setback. CMC Section 9146.29(I) requires outdoor storage to be screened from any adjoining public street or walkway. As such, the current lack of screening is a violation.

Staff has prepared a resolution of approval based on the Planning Commission’s direction at the October 24, 2006, meeting. The resolution includes affirmative findings to support the variance request. Additionally, staff has included the following conditions of approval to address issues that are specific to the proposed project:

- The scope of improvements described in the Improvement Agreement for said property signed by the City Clerk on March 7, 2006, shall be fully complied with, except as superceded by this variance request.
- Notwithstanding the requirements included as Exhibit “B,” Schedule of Performance, of the Improvement Agreement, the applicant shall complete all improvements within 180 days of the effective date of this resolution.
- The chain-link fence to the east of the main entrance along 213th Street shall be replaced with wrought-iron fencing or similar decorative fencing to the satisfaction of the Planning Division.
- The landscape area east of the main entrance along 213th Street between the fence and truck parking area shall be:
 - Planted with one and five gallon shrubs to create a hedge to screen trucks; and
 - Provided with an automatic irrigation system designed to commercial grade standards.
- A revised landscape plan shall be submitted to the City Planning Division within 30 days of the effective date of this resolution, reflecting all the conditions contained herein and all the improvements described in the Improvement Agreement.

IV. Environmental Review

Pursuant to Section 15311, Accessory Structures, of the California Environmental Quality Act (CEQA) Guidelines, the location of a fence along the northern property line on an industrial property and a variance request for screening purposes will not create a significant environmental impact and is categorically exempt under CEQA.

V. Conclusion

On October 24, 2006, the Planning Commission on a vote of 7-2, indicated their intended action to not concur with staff's recommendation to deny the variance request. Instead, the Planning Commission directed staff to prepare a resolution of approval to be brought to the Planning Commission at tonight's meeting. Staff has prepared a resolution approving Variance No. 470-05. The Planning Commission is requested to carefully consider the adequacy of the findings and the potential for a precedent to be established regarding the encroachment within the required landscape setback. Conditions have been included to require additional landscape treatment to provide screening from the public street. Therefore, the scope of the variance will be to allow the truck parking to encroach within the required 10 foot landscape setback.

VI. Recommendation

That the Planning Commission choose one of the following options:

1. **DENY** Variance No. 470-05; and

WAIVE further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING VARIANCE NO. 470-05 FOR THE PROPERTY LOCATED AT 21300 S. WILMINGTON AVENUE."

2. **APPROVE** Variance No. 470-05; and

WAIVE further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING VARIANCE NO. 470-05 FOR THE PROPERTY LOCATED AT 21300 S. WILMINGTON AVENUE."

VII. Exhibits

1. Draft Resolution
2. Staff Report dated October 24, 2006

Prepared by: _____
John F. Signo, AICP, A/Senior Planner

Approved by: _____
Sheri Repp, Planning Manager