



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 27, 2007

SUBJECT: Design Overlay Review No. 975-06
 Variance Nos. 487-06; 488-06 & 489-06
 Conditional Use Permit No. 645-06

APPLICANT: Primestor Development, Inc. – Ms. Sovirya Heng
 228 S. Beverly Drive
 Beverly Hills, CA 90212-3805

REQUEST: Approval to construct four detached commercial buildings totaling 41,135 square feet on a 3.5 acre vacant parcel. The subject property is zoned CG-D (Commercial, General – Design Overlay District) and is located within Redevelopment Project Area No. 1.

PROPERTY INVOLVED: 501 E. Albertoni Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

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

I. Introduction

The applicant is requesting approval to construct four, free standing detached commercial buildings located on a 3.5 acre, vacant parcel located at the northwest corner of Albertoni Street and Avalon Boulevard. The project, "University Square", contains anchor building A at 22,00 square feet; building B at 6,208 square feet; building C, proposed as a sit down restaurant, at 6,505 square feet and building D at 6,422 square feet.

As the project is multi-faceted, it requires several discretionary permits: Design Overlay Review No. 975-06 for overall project design; Variance No. 487-06 from Section 9136.12 of the Carson Municipal Code (CMC) for required 30-foot maximum building height limit for retail anchor building A; Variance No. 488-06 from Section 9136.7 of the CMC for required 30-foot maximum sign height limit; Variance No. 489-06 from Sections 9136.23-9136.25 of the CMC for front, side and rear yard setbacks; and Conditional Use Permit No. 645-06 for shared parking.

The subject property, located at 501 E. Albertoni Street, is zoned CG-D (Commercial, General – Design Overlay District) with a General Commercial General Plan land use designation and is located within Redevelopment Project Area No. 1. Surrounding uses include Extended Stay America Hotel to the west, the Artesia (91) Freeway to the north, commercial land uses to the east and Carson Harbor Village mobile home park to the south.

II. Background

The project site was formerly developed with a 135,000 square foot, four-story building which was to become the Radisson Plaza Hotel. A building permit was issued in 1987 for the construction of the hotel and in 1989 construction on the hotel ceased. As a result, the hotel was 70% complete and stood vacant for many years until the Carson Redevelopment Agency acquired the site and demolished the unfinished structure in December 2002.

The site has since remained vacant and does not contain a sidewalk or landscaped parkway. The Carson Redevelopment Agency prepared a Phase I and Phase II of the site which contains historical uses and site conditions. The report revealed no contamination and found the site suitable for this type of commercial development.

III. Analysis

DESIGN OVERLAY REVIEW

As the proposed project is located within Redevelopment Project Area No. 1 and within a designated Design Overlay Review area, Site Plan and Design Review approval is required. After Planning Commission recommendation, the project will be

forwarded to the Redevelopment Agency for final approval. Section 9172.23 (D) (1) states that a site plan and design overlay review application shall be submitted and recommended for approval if the project meets specified criteria as follows:

a. Compatibility with the General Plan, any specific plans for the area and surrounding uses.

The General Plan designates the subject property for General Commercial uses. The proposed commercial center, including sit down restaurant, adheres to the goals and policies described in the Land Use Element of the General Plan. The site is approximately 3.5 acres in size and is surrounded by Extended Stay America Hotel to the west, the Artesia (91) Freeway to the north, commercial land uses to the east and major thoroughfares, Albertoni Street to the south and Avalon Boulevard to the east. Carson Harbor Village mobile home park is located more than 200 feet to the south of the site.

b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of the site planning, land coverage, landscaping, appearance, scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.

The design and architecture of the proposed development conforms to all the applicable design and development standards of the City of Carson's Zoning Ordinance, with the exception of maximum height requirements for buildings and structures, front, side and rear yard setbacks and parking requirements. These deviations will be addressed individually within the Variance and Conditional Use Permit section of this report. The proposed development includes anchor building A at 22,00 square feet; building B at 6,208 square feet; building C, proposed as a sit down restaurant, at 6,505 square feet and building D at 6,422 square feet. All four buildings are oriented toward the street for pedestrian accessibility.

The University Square shopping center features consistent contemporary Spanish Mediterranean design elements that include clay roof tiles and a plaster stucco finish with natural stone elements. The buildings will incorporate a warm earth tone color palette which blends in with the surrounding developments. Various materials and treatments such as coordinated color treatments among buildings; pop-outs and projections; cornice trim at parapet walls; reveals; scorelines; aluminum storefront windows; decorative light fixtures; awnings and rod iron metal work will be incorporated throughout the center to add to the character of the center. The project includes a plaza area with water fountain between buildings B and C. The project also features consistent site development design, including, but is not limited to, 36-inch mounded landscaping within entire front setback area; minimum 24-inch box trees within setback and throughout entire site; asphaltic concrete paving with stripped parking spaces to comply with code; decorative and consistent parking lot lighting fixtures; stamped and stained concrete at driveway areas; climbing colorful vines attached to rear chainlink fencing; and consistent signage design, including

pylon, monument and wall signs. The development shall also make way for a new sidewalk, landscaped parkway with irrigation, sod and trees installed under the direction of the Engineering Department.

Development of this vacant parcel will be an asset to the City and to the surrounding land uses. The project will be a catalyst to future development within the City of Carson. As such, the project is compatible with the existing and anticipated development of the area.

c. Convenience and safety of circulation for pedestrians and vehicles.

The proposed project will create four new buildings for retail and sit down restaurant purposes. The site will be accessed via two driveways, one on Albertoni Street and the other on Avalon Boulevard. The project layout incorporates handicap and pedestrian accessibility from the sidewalk into the development. Also included is a decorative paved pedestrian walkway from Albertoni Street sidewalk into the plaza/fountain courtyard. Customer parking areas provide adequate and safe circulation of vehicles and pedestrians on site. A condition will be placed that delivery of merchandise be limited to off-peak hours.

Albertoni Street and Avalon Boulevard are major thoroughfares that can easily accommodate the expected traffic to be generated from the proposed development. The applicant will be required to contribute to the cost of a raised median on Albertoni Street along the site frontage, which shall be designed to have an opening for driveway access on Albertoni Street. Furthermore, the City's Traffic Engineer has reviewed the proposed project and has determined that the use will not create significant traffic impacts to the area circulation and that adequate street access and traffic capacity exists.

d. Attractiveness, effectiveness and restraint in signing, graphics and color.

The project features two (2), 10-foot high monument signs and one (1) 60-foot high freeway oriented pylon sign of design consistent with the architectural theme of the buildings. As the CMC, Section 9136.7, only permits one monument sign per lot, a condition has been imposed to permit only one monument sign for the project. As the proposed pylon sign exceeds the required 30-foot height limit, it requires a Variance (see Variance section of this report). The monument sign will accommodate one anchor tenant and up to three secondary tenants. The pylon sign will accommodate up to five anchor tenants. Both the pylon and monument sign feature the University Square logo. Building signage will consist of individual, internally illuminated channel letters and corporate logos as described in the overall sign program for this project. Total sign area permitted by the CMC is 1,792 square feet. The proposed sign program will meet this requirement.

e. Conformance to any applicable design standards and guidelines, which have been adopted pursuant to Section 9172.15.

Pursuant to the Redevelopment Plan for Redevelopment Project Area No. 1, future development within such Project Area includes an emphasis on the abatement of unwanted, conflicting and blighted uses. The proposed project will facilitate the redevelopment of a currently blighted, vacant lot and allow for the development of a new commercial center and sit down restaurant, which will provide increased tax revenue, jobs to the community and showcase a new contemporary development. The proposed University Square is consistent with the general intent of the Redevelopment Plan for the area.

VARIANCES

The applicant is requesting three variances for this project. The first is Variance No. 487-06 from Section 9136.12 of the CMC to construct a 39-foot high, 22,000 square foot anchor retail building. The maximum allowable building height within the CG-D (Commercial, General Design Overlay District) zone is 30-feet.

Section 9172.22 of the CMC 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.”

A special circumstance is applicable in this case due to the topography and location of the property in relation to the adjacent Artesia (91) Freeway grade elevation. The grade elevation of the subject site ranges between 38 and 40 feet above sea level, while the Artesia (91) Freeway grade elevation is 66 feet above sea level. Since the property will be leveled and graded, the difference between grades is estimated at 28 feet. The granting of this variance will be consistent with various hotels in the vicinity including the adjacent Extended Stay America at 39 feet in height, the Hampton Inn, and the Carson Plaza which all exceed the 30-foot height limit by roughly 10 feet. As such, the 30-foot building height limit application of the Zoning Ordinance deprives the applicant privileges enjoyed by other properties in the vicinity under identical topography conditions and zoning classification.

The second request is for Variance No. 488-06, a request from Section 9136.7 of the CMC to construct a 60-foot high pylon sign for shared use by the tenants of this development. The maximum allowable sign height within the CG-D (Commercial, General Design Overlay District) zone is 30-feet.

As previously mentioned, a special circumstance is applicable in this case due to the topography and location of the property in relation to the adjacent Artesia (91) Freeway grade elevation. As such, the proposed pylon sign is designed with a 28.5-foot high base, a 30-foot high sign area and 1.5-foot cornice roof cap. The overall design of the pylon sign is consistent with the overall architectural project theme.

The granting of this variance will be consistent with the adjacent Carson-91 commercial center which features a 63-foot high freeway oriented, multi-tenant pylon

sign and the 125-foot high Home Depot Center pylon sign, located adjacent to this site. Other signs of similar height include Don Kott's 65-foot and Cormier Chevrolet's 65-foot high freeway oriented pylon signs. In addition to these, there are several other freeway oriented pylon signs which exceed 30 feet in height. As such, the proposed pylon sign will not be out of character with the surrounding land uses, which also include freeway-oriented billboards.

Staff believes therefore, that the 30-foot sign height limit application of the Zoning Ordinance deprives the applicant privileges enjoyed by other properties in the vicinity under identical topography conditions and zoning classification. Similar variances have been approved for both Don Kott and Cormier Chevrolet, among other pylon signs adjacent to elevated freeways.

The third request is for Variance No. 489-06 from Sections 9136.23-9136.25 of the CMC for front, side and rear yard setbacks. Anchor building A is proposed to be constructed with a varying front yard setback which varies from 15 feet to zero (0) feet; a side yard setback which varies from two (2) foot, seven (7) inches to zero (0) feet and a rear yard setback which varies from one (1) foot to three (3) feet. Section 9136.23 requires a minimum 20 foot front yard setback; Section 9136.24 requires a three (3) foot side yard setback and Section 9136.25 requires a three (3) foot rear yard setback.

A special circumstance is applicable in this case due to the shape and topography of the property. The parcel is oddly shaped, being wider at the eastern boundary line with over 300 linear feet and much narrower at the western boundary line with approximately 135 linear feet. Anchor building A, at 22,000 square feet, will be located at the western boundary line to allow the other three commercial buildings to be built toward the sidewalk to promote a pedestrian friendly environment. The parking lot will therefore be located behind the buildings. Such type of design is highly encouraged within the Smart Growth Planning principles because it promotes walkable communities and reduces vehicle trips and emissions.

The granting of this variance is justified due to the odd configuration of the lot and the layout of the remaining buildings on site. The strict application of the code in relation to front, side and rear yard setbacks deprives the property of privileges enjoyed by other properties in the vicinity with similar oddly configured lots.

CONDITIONAL USE PERMIT

The Planning Commission can approve the Conditional Use Permit with a stipulation that the authorization is contingent upon Redevelopment Agency approval of Design Overlay Review No. 975-06 and that any change to the DOR will require review by the Planning Commission before this Conditional Use Permit becomes effective.

The applicant requests a Conditional Use Permit for shared parking based on non-conflicting hours of proposed uses demonstrated on a submitted shared parking analysis prepared by a consulting traffic engineer.

Pursuant to Section 9162.24 of the CMC, when two or more uses share a parking facility, and when demonstrated by a signed affidavit that the hours of their demand do not substantially overlap, then the parking requirement may be reduced by the Planning Commission through the approval of a Conditional Use Permit pursuant to Section 9172.21 (D). The Planning Commission, by Resolution, shall render its approval based on the ability to make affirmative findings based on the following criteria:

a. The proposed use and development will be consistent with the General Plan.

The General Plan designates the subject property for General Commercial uses. The proposed development is consistent with permitted uses and adheres to the goals and policies described in the Land Use Element of the General Plan. The site is approximately 3.5 acres in size and is surrounded by Extended Stay America Hotel to the west, the Artesia (91) Freeway to the north, commercial land uses to the east and major thoroughfares, Albertoni Street to the south and Avalon Boulevard to the east. Carson Harbor Village mobile home park is located more than 200 feet to the south of the site.

b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.

The proposed development will be located on a relatively flat parcel of land, within a General Commercial zone district adjacent to the Artesia (91) Freeway. The site is adequate in size, shape, and topography and has access to required utilities as it is located within an urbanized area. The project meets all development standard requirements with the exception of parking.

Section 9162.21 of the CMC requires 238 parking spaces for commercial and restaurant uses. A shared parking analysis was prepared by a traffic engineer for this project. Based on the Urban Land Institute (ULI) rates, the maximum parking demand for the project would be 217 parking spaces. The 217 peak parking demand is based on 1,508 square feet of building D being calculated as non-lunch time use. The project contains 211 parking stalls. As such, the site would be deficient six (6) parking spaces based on ULI rates. The sit down restaurant proposed is El Pescador, not a typical national chain restaurant. Should El Pescador leave and/or the non-lunch time use designated at 1,508 square feet in building D change to a lunch time restaurant use, the city reserves the right to require a new shared parking analysis. Should the shared parking analysis deviate from the original shared parking analysis, the city shall restrict a certain amount of square footage to non-lunch time use. Based on these findings, staff and the City's Traffic Engineer can support the shared parking analysis and concur with its findings. Staff anticipates that the project, even at peak lunch periods, will be able to provide adequate on-site parking. Thus, no significant impact to parking is expected.

c. There will be adequate street access and traffic capacity.

Pursuant to review by the Carson Engineering Services Department, traffic flow on Albertoni Street and Avalon Boulevard, and within the site in question will not be negatively affected by the proposed development. The site will be serviced by Albertoni Street and Avalon Boulevard, two major highways capable of supporting the expected increased traffic volume. The applicant shall also contribute to the cost of a raised median on Albertoni Street along the site frontage, which shall be designed to have an opening for driveway access.

A shared parking analysis was submitted to review potential impacts of the proposed development on and off site. The City's Traffic Engineer concurred with the findings of the shared parking study and did not add further conditions of approval. Should El Pescador, however, leave and/or the non-lunch time use designated at 1,508 square feet in building D change to a lunch time restaurant use, the city reserves the right to require a new shared parking analysis. Should the shared parking analysis deviate from the original shared parking analysis, the city shall restrict a certain amount of square footage to non-lunch time use. Based on these findings, staff anticipates that no adverse traffic impacts will result from the proposed commercial development.

d. There will be adequate water supply for fire protection.

The County Fire Department has reviewed the proposed project and concludes that adequate water supply exists to meet current and anticipated fire suppression needs. The County Fire Department has imposed several conditions, which are incorporated in the Conditions of Approval for this project.

e. The proposed use and development will be compatible with the intended character of the area.

The site is designated for general commercial uses in both the General Plan and Zoning Ordinance. The proposed development will be an asset to the City as it will provide much needed commercial services and a sit down restaurant to the northern portion of the City which has a limited number of these types of land uses. The subject site is located at a prime corner location and will serve to revitalize a dormant lot and promote an aggressive stance towards new development and revitalization of existing surrounding developments. The project is compatible and within character of the adjacent Extended Stay America hotel and adjacent commercial center, both functionally and architecturally.

IV. Environmental Review

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) (Exhibit No. 2). The City's Traffic Engineer concurs with the shared parking study prepared for this project and staff will condition that a new shared parking analysis be prepared should restaurant uses change in the future. As such, staff has determined that this project will not impose significant impacts on the environment and has prepared a Negative Declaration.

V. Conclusion

The proposed development of University Square is consistent with the requirements set forth in the CMC for the approval of Design Overlay Review, Variances and a Conditional Use Permit. The proposal is compatible with the existing commercial uses in the area. The retail center is anticipated to feature tenants with popular corporate names and images, which will enhance the City's overall image and attract customers from a wide region. In addition, the use, architectural style and design of the proposed project serves as a protocol to promote the upgrade of adjacent land uses. The project is consistent with existing and anticipated development of the area and represents a significant upgrade of the existing, vacant site.

VI. Recommendation

That the Planning Commission:

- **APPROVE** the Negative Declaration
- **WAIVE** further reading and **ADOPT** Resolution No._____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL OF DESIGN OVERLAY REVIEW NO. 975-06 TO THE CARSON REDEVELOPMENT AGENCY AND APPROVING VARIANCE NO. 487-06; VARIANCE NO. 488-06; VARIANCE NO. 489-06 AND CONDITIONAL USE PERMIT NO. 645-06."

Exhibits

1. Land Use Map
2. Negative Declaration and Initial Study
3. Proposed Resolution
4. Shared Parking Analysis Report
5. Proposed Plans (submitted under separate cover)

Prepared by: _____
Rocio Lopez, Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager