



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: September 23, 2008
SUBJECT: Extension of time for Design Overlay Review No. 958-06 and Variance No. 485-06
APPLICANT: Hamid Pournamdari
P.O. Box 1627
Redondo Beach, CA 90278
REQUEST: A one-year time extension for Design Overlay Review No. 958-06 and Variance No. 485-06
PROPERTY INVOLVED: 23601 South Avalon Boulevard

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Saenz
		Cannon			Verrett
		Graber			

Item No. 9B

I. Introduction

The applicant, Hamid Pournamdari, is requesting a one-year time extension for Design Overlay Review No. 958-06 and Variance No. 485-06. The property is located at 23601 S. Avalon Boulevard and is in the CN (Commercial, Neighborhood) zoning district.

II. Background

This project was approved by the Planning Commission at their meeting on September 25, 2007. Design Overlay Review No. 958-06 and Variance No. 485-06 were approved for a two-story commercial building with a reduced front yard setback. Conditional Use Permit No. 679-07 for the sale of alcohol was continued indefinitely to allow the applicant to confirm a tenant proposing alcohol sales. On August 12, 2008, Conditional Use Permit No. 679-07 was denied by the Planning Commission.

III. Analysis

Pursuant to Section 9172.22 – Variance, and Section 9172.23 – Site Plan and Design Review of the Carson Municipal Code, expiration of a variance request and a site plan and design review may be extended for one year from the date of original expiration. Due to denial of the proposed alcohol sale use, the applicant has requested additional time in order to locate another tenant for the tenant space and submitted the extension of time application on August 21, 2008.


IV. Recommendation

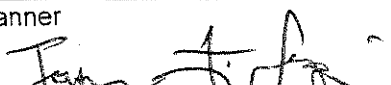
That the Planning Commission:


- **APPROVE** the extension of time until September 25, 2009 for Design Overlay Review No. 958-06 and Variance No. 485-06; and
- **ADOPT** a minute resolution extending the approval of Design Overlay Review No. 958-06 and Variance No. 485-06 to September 25, 2009.

V. Exhibit

1. Planning Commission Resolution No. 07-2171 adopted on September 25, 2007

Prepared by: 
Max Castillo, Assistant Planner

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

Approved by: 
Sheri Repp-Loadsmar, Planning Division Manager



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 07-2171

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING DESIGN OVERLAY REVIEW NO. 958-06 AND VARIANCE NO. 485-06 FOR
THE CONSTRUCTION OF A COMMERCIAL BUILDING AND A REDUCED FRONT YARD
SETBACK AT 23601 SOUTH AVALON BOULEVARD.**

**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, Hamid Pournamdari, represented by Manuel/Tanya Lam, with respect to real property located at 23601 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting approval of a Site Plan and Design Review (DOR 958-06) to construct a two-story commercial retail building in the CN (Commercial, Neighborhood) zoned district. Approval of a variance request (Variance 485-06) to reduce the required front yard setback is also requested.

A public hearing was duly held on September 25, 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 Neighborhood 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 multi-tenant commercial center to the north and single family residences to the south; multi-family residential developments are located to the west across Ilabel Avenue and to the east across Avalon Boulevard;
- b) The project will be compatible in 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. Design features include a stone veneer finish, pilasters, tile insets, tile roof and cornices. Improvements to the site will include perimeter landscaping and a water fountain feature;
- c) The site is also adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use and development. The site is 0.5 acres in area and is surrounded by commercial and residential properties. Water mains, fire hydrants, and fire flows will be provided per Fire Department requirements;



- d) Convenience and safety of circulation for pedestrians and vehicles will be provided. The site will be paved and the required number of parking spaces (28) will be provided. Two existing driveways will provide access to the site. Circulation on the adjacent public streets will not be adversely impacted. To allow street sweeping along the street frontages, street sweeping signs restricting parking shall be placed along Idabel Avenue and Avalon Boulevard subject to approval by the City Traffic Engineer;
- 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 a center monument sign and require channel letters for unit signs;
- f) The applicant requests a variance from Section 9136.23 of the Carson Municipal Code to reduce the required 20 foot front yard setback. The building will be setback 10 feet from the front property line along Avalon Boulevard.

The building will be located on a 21,190 square foot property which fronts two streets. The current layout, with the building located close to the street, will allow driveways to be located further away from the intersection allowing adequate traffic circulation both on and off-site. Strict application of the 20-foot front yard setback would not produce adequate traffic circulation for the site. By bringing the façade closer to the street, the reduced setback would give the commercial center improved visibility and identification. In addition, the design will be enhanced and will create a pedestrian-oriented business.

The unusual configuration of the property creates practical difficulties in the placement and orientation of any buildings. There are a number of factors that support building orientation closer to the street including the irregular shape of the property, adjacency to residential uses and corner location. Strict application of the Municipal Code deprives the proposed commercial center of privileges enjoyed by other property in the vicinity under identical zoning classification.

- g) Findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" and Section 9172.22, "Variance – Commission Findings and Decision" can be made in the affirmative.

Section 4. The Planning Commission further finds that the uses permitted by the proposed Design Overlay Review and Variance will not have a significant effect on the environment. The proposed uses will not alter the commercial and residential character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under CEQA, Section 15332, Infill Development.

Section 5. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 958-06 and Variance No. 485-06 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 25th DAY OF SEPTEMBER, 2007


CHAIRMAN

ATTEST:

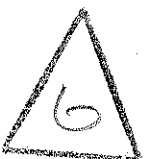

SECRETARY



EXHIBIT "A"

Legal Description

Lot 2 of Tract No. 29042, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 711, Pages 37 to 42 inclusive of Maps, in the Office of the County Recorder of said County.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 958-06
VARIANCE NO. 485-06

GENERAL CONDITIONS

1. If Design Overlay Review No. 958-06 and Variance No. 485-06 are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
5. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



8. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
9. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
10. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 958-06 and Variance No. 485-06. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

PARKING

11. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
12. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
13. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
14. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
15. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
16. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.



LANDSCAPING/IRRIGATION

17. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
19. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
20. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Vine-like landscaping along perimeter walls;
 - b. Annual flowers wherever possible; and
 - c. Irrigation system designed to commercial grade standards.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
23. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

24. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to Planning Division approval.
25. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
26. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
27. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).



SIGNS

28. A sign program shall be submitted to the Planning Division prior to the issuance of a building permit(s). The sign program shall detail all signs to be erected including location, size, type, materials, etc. All signs shall be subject to the approval of the Planning Division.
29. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.
30. All permitted business signs must be in compliance with the provisions of Section 9136.7 of the Zoning Ordinance.

FENCES/WALLS

31. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) of the Zoning Ordinance.

LIGHTING

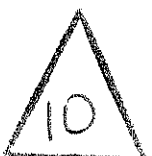
32. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.
33. A lighting plan which details locations, orientation, illumination and light standard dimensions shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
34. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

TRASH

35. The trash enclosure and recycling area shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
36. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

37. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden.



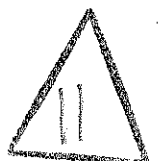
38. Provide Fire Department and City approved street sign and building address numbers prior to occupancy.
39. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
40. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
41. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
42. All hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All hydrants shall be installed a minimum of 25' from a structure or protected by a two hour fire wall. Location as per map on file with this office.
43. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
44. Submit fire flow information to the Fire Department for approval.

PUBLIC SAFETY - CITY OF CARSON

45. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.
46. Ensure compliance with current seismic mitigation codes.
47. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.
48. Video surveillance of the convenience store shall be recorded 24-hours per day, 7-days a week and stored electronically for future review, if necessary.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

49. Prior to issuance of Building Permit, a soils report, drainage concept, and stormwater quality plan, if required, shall be reviewed and approved. Building Permit issuance will not be granted until the required soils and drainage information have been received and found satisfactory.
50. Comply with mitigation measures recommended in the approved soils, drainage concept and stormwater quality plan, as necessary.



51. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
52. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
53. Repair any broken or raised sidewalk, curb and gutter along Idabel Avenue and along Avalon Boulevard within or abutting this proposed property per City of Carson Standard and to the satisfaction of the City Engineer.
54. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
55. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach.
56. Where sidewalks meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
57. Remove unused driveways if any, and replace it with full height curb, gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
58. Modify any wheelchair ramps per City of Carson Standard in compliance with ADA requirements.
59. Prior to issuance of Certificate of Occupancy, off-site improvements shall be in place to the satisfaction of the City Engineer.
60. Place street sweeping signs along Idabel Avenue and along Avalon Boulevard to the satisfaction of the City Traffic Engineer.
61. The Developer shall submit a Grading Plan, if necessary, prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
62. A construction permit is required for any work to be done in the public right-of-way.
63. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
64. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.



65. The Developer shall construct and guarantee the construction of all required drainage infrastructures, if necessary, subject to the approval of the City Engineer.
66. Prior to issuance of Building Permit, the following must be on file:
 - a. Drainage plan as approved by the Los Angeles County Department of Public Works.
 - b. Construction bond as required for all work to be done within the public right of way.
 - c. Proof of Worker's Compensation and Liability Insurance.
67. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
68. Idling of tow trucks, flatbed trucks, or any other vehicles for extended periods of time is prohibited.
69. Truck traveling onsite during construction and grading activities will maintain a speed of less than 15 miles per hour to control dust levels.
70. Transport of product, both removal and deposit, shall be planned so to minimize the number of trips. This shall be done by planning destination routes to and from the site and filling hauling trucks to the maximum capacity prior to shipment.
71. Suspend construction activities and loading of grading materials when wind speeds exceed 25 miles per hour.
72. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.
73. Prior to issuance of a Building Permit, an approved drainage and grading plan must be on file.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

74. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

