



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 24, 2011

SUBJECT: Design Overlay Review No. 1359-10

APPLICANT: Our Lady Of Guadalupe Church
 Attn: Reverend Efren Cortez
 2583 E. Carson Street
 Carson, CA 90810

REQUEST: Construction of a two-story, 2,535-square-foot addition to an existing one-story, 1,975-square-foot church building, and related parking and landscaping improvements to a 2,549-square-foot lot located in the CG-D (Commercial, General – Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

PROPERTY INVOLVED: 2581 E. Carson Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Park			Saenz
		Brimmer			Schaffer
		Diaz			Verrett
		Goolsby			

Item No. 11A

I. Introduction

Date Application Received

- Design Overlay Review No. 1359-10: April 13, 2010

Property Owner/Project Applicant

- Our Lady of Guadalupe Church
Attn: Reverend Efren Cortez
2583 E. Carson Street
Carson, CA 90810

Project Address

- 2581 E. Carson Street

Project Description

The applicant, Reverend Efren Cortez, on behalf of the property owner, Our Lady of Guadalupe Church, proposes a new two-story, 2,535-square-foot addition to an existing single-story 1,975-square-foot church building. The purpose of the addition is to provide offices, a kitchen, banquet hall, and meeting rooms to support the existing church building. A lot merger is proposed so that the project will comply with basic building codes which prohibit the construction of structures over lot lines. There are a total of two lots being merged which are contiguous and ample in size to comply with applicable zoning codes upon merger completion.

Re-Notice of Public Hearing

This item was considered by the Planning Commission on February 22, 2011. After much deliberation, it was determined that the public hearing notice was not properly displayed for the full 20 days pursuant to Section 9173.22 (Exhibit No. 1). On May 4, 2011, an applicant representative posted a new public hearing notice on the site, signed an affidavit and submitted a picture as proof of posting (Exhibit No. 2.) The February 22, 2011 Planning Commission staff report and excerpt of minutes for this item are included as Exhibit Nos. 3 and 4, respectively.

II. Background

The February 22, 2011 Planning Commission hearing involved discussion of various issues related to the existing church use, including the over-occupancy of the building causing a lack of sufficient parking, parking violations, unauthorized uses conducted in the parking lots (food and retail sales), and unpermitted structures being erected for such activities.

Staff recommended approval of the proposed church addition based upon compliance with applicable code sections related to required parking spaces and other site development standards. Explicit conditions of approval were recommended in order to mitigate potential parking and building occupancy issues. The City Attorney explained that compliance to the conditions of approval may be an issue in any discretionary land use application before the Commission and stated the church's commitment to honesty should assure adherence to those conditions.

Since the February 22, 2011 hearing date, staff has met with the applicant and his architect to discuss ways in which the issues raised at the hearing could be resolved.



Discussions included revisions to the proposed plans to accommodate additional parking spaces, additional conditions of approval to mitigate over-occupancy and vehicular crowding, potential shared parking arrangements, and increasing the number of services held. Each of these issues is discussed in greater detail below.

Revisions to Proposed Plans

In discussions with the applicant's architect it was suggested that additional vehicular parking spaces be included. One alternative was to remove a rear portion of the first floor of the church addition to provide three additional spaces below the second floor. This would allow for tandem parking beneath the church addition. Another consideration was to remove the existing storage building located on the northeastern corner of the church property and restripe the easternmost parking field so that an additional three parking spaces could be provided. This building is currently being used partially for offices, which violates building and zoning codes as it was not constructed to provide for office type uses.

With regard to the building revision, it was determined that the benefit of an additional three tandem spaces does not outweigh the issues with vehicular maneuvering as it relates to potential safety concerns for pedestrians, especially children, coming to and from the building.

Regarding the removal of the storage/office building, the applicant stated that it is used for donation and food bank storage. Staff noted that conditions of approval require that the building be brought into compliance with setback requirements against the rear (north) property line which requires a partial demolition of the structure. The applicant said that he would consider removal of the storage/office building to provide additional parking and utilizing a space for storage in the proposed church addition, but his preference is to keep the building. The applicant has provided a revised site plan which shows that an additional parking space is added without removing the structure. The question remains however, whether the benefit of having two more additional parking spaces outweighs the impact of removing the structure completely. Given the obvious need for additional parking, staff feels that it does. Therefore, a condition of approval has been added which requires that the office/storage structure be completely demolished and three vehicular parking spaces be added along the east property edge of the parking lot.

Overcrowding of Parishioners and Vehicles

As noticed in a letter to the applicant regarding the church addition (Exhibit No. 5), staff conducted visits to the church at various times on given Sundays in March and April 2011. During these visits, staff observed vehicles parked in required fire lanes and perpendicular to Carson Street within the driveways, overcrowding of parishioners in the sanctuary area, occupying the aisles ("standing room only") and even standing outside the sanctuary to hear the services, as well as a limousine blocking the drive aisle and sidewalk.

In response to questions from staff, the applicant stated that the church's policy is not to turn away parishioners, and to accept any and all people who wish to attend a service, noting however, that the popularity of the church is an issue that may necessitate opening additional service times and days to alleviate the overcrowding issue. The applicant expressed a desire to provide the church addition so that activities currently being conducted outside (blocking some parking spaces), such as bible study and food sales and consumption, could be internalized. Regarding the limousine, the applicant stated that the church does not contract limousine services and does not support their use onsite. In fact, the applicant was supportive of a



recommended condition of approval which prohibits limousines from accessing the parking areas.

Upon further investigation, staff recommends that another condition be added related to parking in situations where there are weddings or *quinceaneras*, etc., involving limousines that are coming onto the property and blocking traffic on the street violating of the Vehicle Code. This condition states, "The church shall ensure that Carson Street and required fire lanes remain unobstructed and that church users comply with the requirements of the Vehicle Code. The church shall include provisions within any rental agreement or authorization to use the property prohibiting the use of limousines, unless there is an assurance that there will be compliance with applicable laws."

Simultaneous Use of Existing Church and Community Room

Regarding the overcrowding and building occupancy issues, the Commission commented on the separation between the community room and the sanctuary and asked for clarification of operating hours. Presumably, the Commission raised this question because it is implied that a church community room is intrinsically related to a church use and should therefore operate at the same time. Staff stated that because the community room and the sanctuary are separated by a wall, the community room is calculated separately in terms of parking. An important point to make when discussing required parking for a church use is that only the largest assembly room is considered when applying Section 9162.21 of the CMC to determine the parking required.

If the community room and church use operate simultaneously the demand for parking would exceed the existing parking areas. For example, if calculated separately for parking, the community room requires one parking space for each 21 square feet of net floor area, and the existing church requires one space for each 35 square feet of sanctuary area. This means that with both uses operating simultaneously, the parking demand would be 69 spaces, while only 39 spaces are available. Because the community room portion of the addition would potentially need 30 parking spaces given its proposed size, staff suggested that they operate independently of each other (e.g. not "open" at the same time), to minimize the anticipated need for additional parking.

However, because the church addition is still a part of the church, only the largest assembly area, which would still be the sanctuary, is required to be calculated into the total parking required. Since there is a total of 39 parking spaces provided on the subject site, the church use, including the addition, meets minimum requirements for vehicular parking spaces.

Staff stated that it would be acceptable for a small number of individuals to be in the community room preparing for an event while a service is taking place in the sanctuary. Staff added that if people are lingering inside the community room drinking coffee and loitering while the next service activity in the sanctuary is beginning, then that would be considered two activities taking place at the same time which would exacerbate the limited parking. Staff iterated that the recommended condition of approval clearly states the church is prohibited from over-lapping its use of both rooms at the same time and that it is necessary for the church to put in place operational standards to make sure there is no overlap.

The proposed condition reads as follows, "The proposed community/recreation room shall be reduced in size to meet the parking requirements established by the Carson



Municipal Code and shall not be utilized in such a way to exceed the parking available on the church property. The community/recreation room shall not be actively utilized at the same time the main sanctuary is being used.” During the public hearing, when asked if he accepts such a condition, the applicant stated “yes.” Furthermore, staff wished to amend this condition to add the following, “The community room shall not have speakers, monitors, or other devices that allow the room to be used for overflow seating for an activity conducted in the main assembly room.”

Staff stated the discussion has been very clear that if one service has ended and people have gone to the community room, they must leave that room within a half hour before the next service starts so there is no significant overlap. This would also apply if the community room is being used for any other activity, whether it be a *quinceanera* or any other activity, the church representatives are to make sure the people who are utilizing the room are not bringing more people onto the property than what the church can accommodate in parking. Church officials are expected to restrict the use of the community room accordingly.

Potential for Shared Parking Arrangement(s)

The Planning Commission asked if anyone has considered offsite shuttle service to help eliminate parking and traffic problems, possibly utilizing the parking lots of nearby businesses that are closed on Sundays. The applicant stated that they had done a test a year ago of offsite shuttling and advised that it was successful in reducing the number of complaints. Prior to the hearing, staff had not considered shared parking arrangements for this church because there was no parking nearby that could be arranged that would also meet the Zoning Code, being within 400 feet of this site.

Since that time, the applicant contacted Watson Land Company to inquire about using their properties, located south of Carson Street and west of Alameda Street, for parishioner parking and shuttle service. Watson denied the applicant's request. The applicant has contacted the property owner of the vacant land located southwest of the church property and fronting the Alameda Street access road south of Carson Street to inquire about using the land for shared parking. To date, the applicant has not been able to secure an agreement.

The applicant has expressed intent to use public street parking along Carson Street, west of the church property on the other side of the Alameda Street overpass. The church is currently considering the purchase of a bus or van to use for shuttle service. Staff encourages the church to minimize parking in the neighborhood by utilizing other off-site parking or Carson streets. However, it is cautioned that the church building cannot be used in such a way that occupancy limits are exceeded pursuant to building and fire codes.

III. Analysis

The subject property is located within the Carson Consolidated Redevelopment Project Area. Pursuant to Redevelopment Agency Resolution No. 98-044, development within this area is subject to site plan and design review. Findings required pursuant to Section 9172.23(D) of the CMC can be made in the affirmative. Details are contained in the draft Resolution.



IV. Conclusion

The issues described herein which have been raised by staff, the Commission, and the public are all related to a church which has essentially outgrown its location. Over time, as more and more parishioners join the church the impacts related to overcrowding are significantly intensified. The applicant has recognized the need for additional space to accommodate a burgeoning parishioner base and is requesting approval of a church addition to provide such space. However, the main focus continues to revolve around the negative impacts resulting from the existing church, including overcrowding of vehicular parking areas both onsite and in the immediate neighborhood, unauthorized outdoor food service and other activities better situated indoors. The applicant contends, and staff agrees, that the additional church area will accommodate such activities, but the parking issue remains.

As stated earlier, it is important to note that based upon the parking requirements and other standards for a church use pursuant to the CMC the proposed addition is compliant. The concerns regarding inadequate parking and church facilities to accommodate the existing church use have been validated by observing church services. There is apprehension toward approving a church addition due to concerns that parking and other impacts would be intensified beyond control.

In the draft resolution, Staff has provided recommended conditions of approval which, *if followed*, will alleviate or minimize negative impacts associated with the church use. The applicant has provided a revised site plan (Exhibit No. 7) which maximizes the number of parking spaces onsite, and indicates an interest to pursue shared parking arrangement possibilities on properties in the vicinity, and a potential shuttle service. Staff recognizes the need for compliance in order to reduce negative impacts to the community. Given the unusual history of code violations and negative impacts to the neighborhood related to the church operations, staff believes that the applicant, community and city interests would be served by a performance bond to emphasize the importance of the church obligations to achieve compliance and to facilitate the potential need for code compliance activities. A condition has been added to require a \$5,000 performance bond fee to be paid to the city to reimburse for any costs associated with code enforcement activities associated with this authorization and the CMC. The fee will be returned if there has been a continuous 24-month period in which the church has been found to be in compliance. This condition is intended to protect the public health and welfare of the surrounding neighborhood and individuals utilizing the church property. Staff therefore recommends approval of the proposed addition.

V. Environmental Review

Based upon staff review of the project, the proposed church addition will not have a significant effect on the environment. Thus, the project is found to be Categorically Exempt, pursuant to California Environmental Quality Act Guidelines, Article 19, Section 15332(a-e) – In-Fill Development Projects. A Notice of Exemption will be prepared and recorded if this project is approved.



VI. Recommendation

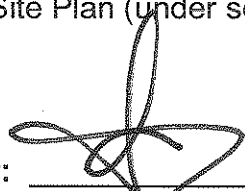
That the Planning Commission:

- 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. 1359-10 TO THE CARSON REDEVELOPMENT AGENCY FOR CONSTRUCTION OF A 2,535-SQUARE-FOOT ADDITION TO AN EXISTING 1,975-SQUARE-FOOT CHURCH BUILDING LOCATED AT 2581 E. CARSON STREET."

VII. Exhibits

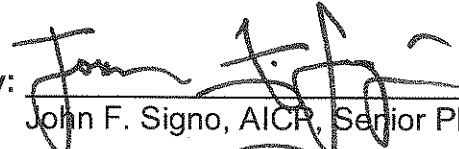
1. Section 9173.22 of the Carson Municipal Code
2. Certificate of Posting – Public Hearing Affidavit and Picture Proof
3. Planning Commission Staff Report for DOR 1359-11 dated February 22, 2011 (without exhibits)
4. Excerpt of Planning Commission Minutes dated February 22, 2011
5. Planning Division Letter to the Applicant dated March 10, 2011
6. Draft Resolution
7. Revised Site Plan (under separate cover)

Prepared by:



Steve Newberg, AICP, Associate Planner

Reviewed by:



John F. Signo, AICP, Senior Planner

Approved by:



Sheri Repp Loadsman, Planning Officer

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9173.22 Notification of Hearing (California Government Code Sections 65854 through 65854.5).

A. Time. Notice of hearing shall be given at least ten (10) calendar days before the hearing.

B. Content. A notice of hearing shall include:

1. Time and place of hearing.
2. A general explanation of the matter to be considered.
3. A general description of the area affected.

C. Posting. When a notice by posting is required, such notice shall be posted in at least three (3) public places in the City as designated by the Council. In addition, any property that is the subject of an administrative/quasi-judicial public hearing shall be posted by the applicant twenty (20) days prior to the hearing in accordance with the requirements prescribed by the Director.

D. Notice to Owners of Property Within Five Hundred (500) Feet.

1. When notice to owners of property within five hundred (500) feet is required, such notice shall be made by first class mail or delivery to all persons, including businesses, corporations or other public or private entities, shown on the last equalized assessment roll as owning real property within five hundred (500) feet of the subject property.

2. In connection with a legislative matter, in the event that the number of owners to whom notice would be sent pursuant to the preceding paragraph is greater than one thousand (1,000), as an alternative to such notice, notice may be given by either of the following procedures:

- a. By placing a display advertisement of at least one-eighth (1/8) page in a newspaper of general circulation published nearest to the City of Carson; or
- b. By placing an insert with any generalized first class mailing sent by the City to property owners in the area affected.

Such advertisement or mailing insert shall specify:

- (1) The type and magnitude of the changes proposed.
- (2) The place where copies of the proposed changes may be obtained.
- (3) The time, date and place of hearing.
- (4) The right to appear and be heard.

EXHIBIT NO. 1



E. Notice to Persons Requiring Notice. In all cases, in addition to other notices, notice shall be given by first class mail to any person who has filed a written request therefor with the Commission. Such a request may be submitted at any time during the calendar year and shall apply for the balance of such calendar year. A reasonable fee may be imposed on persons requesting such notice for the purpose of recovering the cost of such mailing.

F. Notice to Affected Agencies. When notice to local agencies expected to provide water, sewage, streets, roads, schools or other essential facilities is required, such notice shall be made by first class mail or delivery to each such agency. (Ord. 92-976, § 1; Ord. 01-1223, §§ 1, 2)

EXHIBIT NO. 1





CITY OF CARSON

CERTIFICATE OF POSTING - PUBLIC HEARING

City of Carson
Development Services Department
701 E. Carson Street
Carson, CA 90749

CASE NO. ~~007~~ DOR 1359-10

This certifies that I/We have posted the "NOTICE OF PUBLIC HEARING" sign for
Design Overlay Review NO. 1359-10 : Church addition
(TYPE OF REQUEST)

Located at: 2581 E. Carson St.
(ADDRESS OF DEVELOPMENT)

Public Hearing scheduled on: May 24, 2010
(DATE)

I hereby certify under the penalty of perjury that I posted the above-mentioned
NOTICE OF PUBLIC HEARING sign on the 4th day
of May 2011

Owner/Applicant

Signature

Date

OR

KENNETH GONZALEZ
Representative

[Signature]
Signature

5/4/11
Date

Attachment: Picture(s)





**CITY OF CARSON
PLANNING COMMISSION STAFF REPORT**

PUBLIC HEARING: February 22, 2011

SUBJECT: Design Overlay Review No. 1359-10

APPLICANT: Our Lady Of Guadalupe Church
Attn: Reverend Efren Cortez
2583 E. Carson Street
Carson, CA 90810

REQUEST: Construction of a two-story, 2,535-square-foot addition to an existing one-story, 1,975-square-foot church building, and related parking and landscaping improvements a 2,549-square-foot lot located in the CG-D (Commercial, General – Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

PROPERTY INVOLVED: 2581 E. Carson Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Park			Saenz
		Brimmer			Schaffer
		Diaz			Verrett
		Goolsby			

Item No. 11E



EXHIBIT NO. 3

I. **Introduction**

Date Application Received

- Design Overlay Review No. 1359-10: April 13, 2010

Property Owner/Project Applicant

- Our Lady of Guadalupe Church
Attn: Reverend Efren Cortez
2583 E. Carson Street
Carson, CA 90810

Project Address

- 2581 E. Carson Street

Project Description

The applicant, Reverend Efren Cortez, on behalf of the property owner, Our Lady of Guadalupe Church, proposes a new two-story, 2,535-square-foot addition to an existing single-story 1,975-square-foot church building. The purpose of the addition is to provide offices, a kitchen and banquet hall, and meeting rooms to support the existing church building, which includes the main sanctuary. A lot merger is proposed so that the project will comply with basic building codes which prohibit the construction of structures over legal lot lines. There are a total of two lots being merged which are contiguous and ample in size to comply with applicable zoning codes upon merger completion.

II. **Background**

The existing 1,975-square-foot single-story church building was constructed in 1962 and is located on the west edge of the adjacent 10,347-square-foot lot. A significant remodel and rehabilitation to the existing church building was completed in 2003 which added an office and additional sanctuary area. There is a single-story 935-square-foot building constructed in 1945 located on the 2,549-square-foot subject property and is currently being used for church offices and a photography business office. This building will be demolished to make room for the proposed church addition. A lot merger will transform the subject property and the existing church property into one approximately 12,896-square-foot lot. To the east are two additional lots owned by the church which are used as a parking area. A new code-compliant trash enclosure was recently approved and constructed near the northwest corner of the parking lot.

The main sanctuary area is located in the existing church hall. The sanctuary space occupies a total area of 1,372 square feet, including the altar. According to CMC Section 9162.21, a church use requires one vehicular parking space for every 35 square feet of floor area. This equates to a total of 39 required parking spaces. There are 40 spaces provided on the church properties, including two handicapped-accessible spaces adjacent to the east side of the existing church building.



III. **Analysis**

The subject property is located within the Carson Consolidated Redevelopment Project Area. Pursuant to Redevelopment Agency Resolution No. 98-044, development within this area is subject to site plan and design review per Section 9172.23 of the Carson Municipal Code (CMC).

Design Overlay Review No. 1359-10

Pursuant to Section 9172.23(D) of the CMC, the Planning Commission may recommend approval of Design Overlay Review No. 1359-10 to the Redevelopment Agency if the following findings can be made in the affirmative:

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

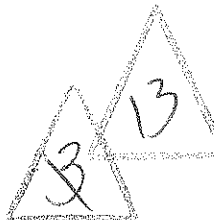
The subject property and adjacent properties are designated as General Commercial and Low Density (Residential) within the Land Use Element of the General Plan. The subject property fronts Carson Street on the south with multi-family residential properties across Carson Street. Toward the west are small neighborhood-serving commercial businesses. Adjacent to the north and east sides of the subject property are single-family residences. There are no specific plans for the area. The proposed use is permitted in the CG-D (Commercial, General – Design Overlay) zone and will be compatible with the 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.

A 2,535-square-foot, two-story church addition is proposed for the property. The building will provide church offices, restrooms, meeting rooms, and a kitchen with a banquet hall to serve parishioners coming from the main sanctuary located in the existing church building. The proposed landscaping is mostly located along the west side of the church addition, with additional areas of landscaping located in the front yard setback facing Carson Street.

The main entrance of the building is accessed from the west. The two-story building provides a missionary design with the use of decorative archways, brick trim, a clay tile roof in the Spanish tradition, and an arcade to shield pedestrians from the elements, consistent with the existing church design.

A new six-foot high, concrete-masonry unit, block wall, plastered and painted to match the new building, is proposed for the north property line to provide further privacy for the adjacent residences. A painted, decorative, wrought-iron fence and undulating wall currently fronts Carson Street and will remain unchanged.



The proposed project will be compatible with existing and anticipated development in the vicinity, in terms of aesthetics, use and other features relative to harmonious development.

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

The subject site is occupied by a 935-square-foot single-story structure currently used as church office area, and will be demolished to provide space for the new church addition. The proposed addition will be comprised of entirely new construction. As such, it is required to be compliant with the newest applicable building and zoning codes related to convenience and safety for pedestrians and vehicles. Access to the new addition comes from the west side of the building. The parking area is located adjacent to the west side of the subject property.

There is one driveway from Carson Street which provides vehicular access to the existing parking lot adjacent to the west side of the proposed addition. Additional parking is located east of the proposed addition on the east side of the existing church building. Adequate pedestrian access to the proposed addition and existing church building is available from both parking areas.

The site plan depicts safe pedestrian and vehicular circulation onsite, ample and convenient disabled parking, driveway and parking space widths, pedestrian walkways, and traffic-friendly landscaping which helps screen parked cars while not obstructing the view of the building.

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

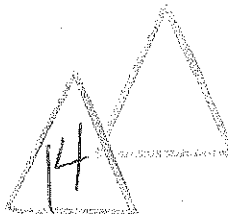
There are no signs currently proposed for the subject property. The building color will be comprised primarily of beige stucco wall with brown and brick accent trim, and a decorative clay tile roof. The building colors will be attractive and effective in terms of providing an aesthetic upgrade to the area and enhancing the existing church building. Any future signs will be reviewed and approved by staff in compliance with Section 9172.23 of the CMC.

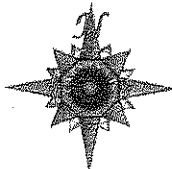
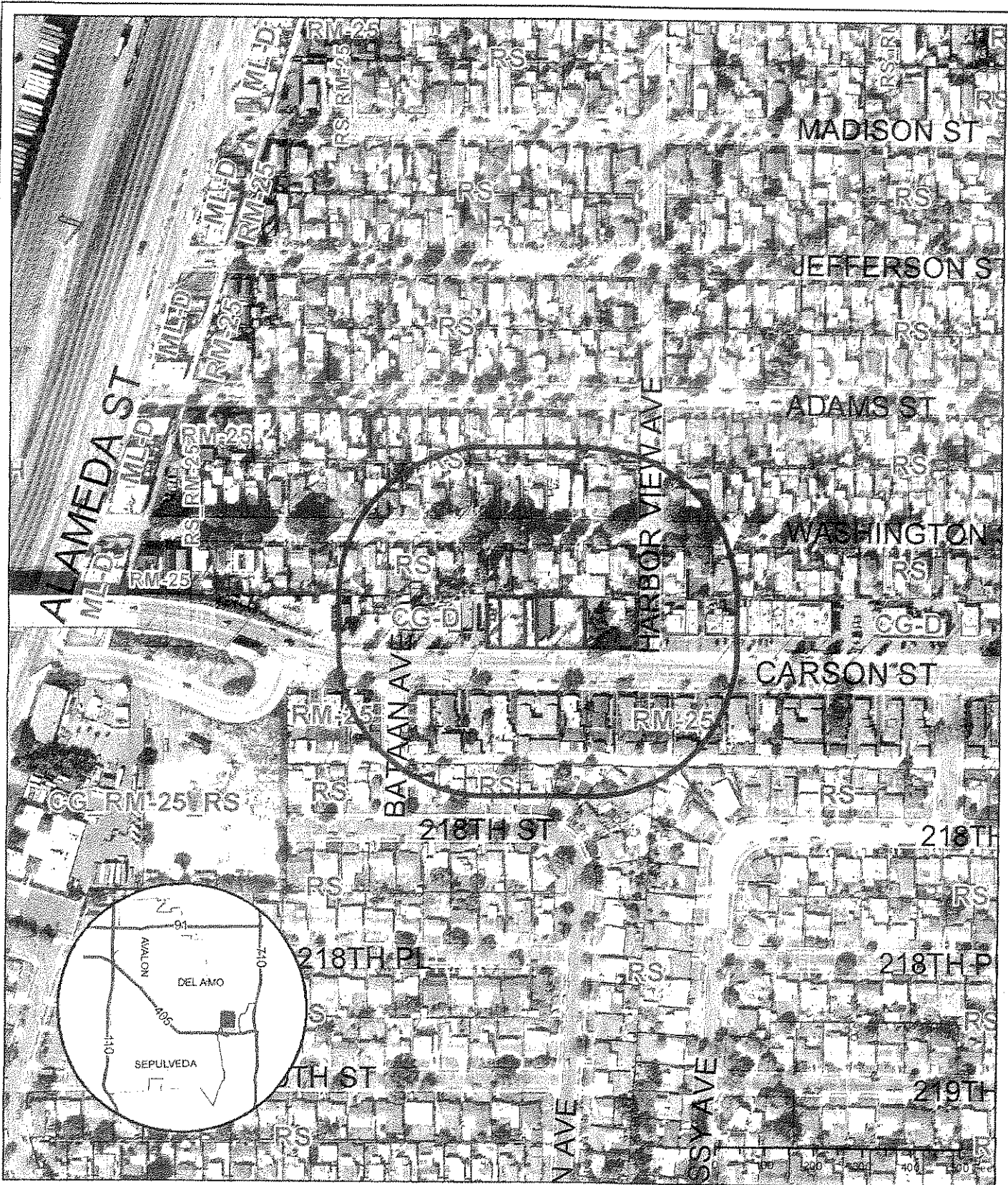
e. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

The project is compliant with applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

Issues of Concern

Previous Code Enforcement Action - The existing church use has a history of associated unpermitted uses and structures on the property, including the issuance of multiple citations and code enforcement actions against the property for at least the last eight years. Most of the issues have been centered on the obstruction of vehicular access to the parking lot adjacent to the east side of the existing church. There is an original garage structure, located in the northeast corner of the parking lot on the east side of the church, which was converted to a storage area and is currently being used as a partial office and storage area. This





City of Carson
 300 Foot Radius Map
 2575-2581 E Carson St

EXHIBIT NO. 1-



structure requires review, inspection, and possible modification in order to comply with applicable zoning codes.

Previous unpermitted uses include sales of electronic media (dvd's, cd's, etc.) without benefit of an approved business license, and food sales without an approved business license or health department inspection and approval. A large unpermitted canopy structure has been erected in the parking lot during the weekends and occasional weeknights for these unpermitted uses. Additionally, a food vending truck would occasionally visit the site for extended periods of time without proper authorization. In the past, these uses were responsible for complaints from adjacent neighbors, prompting code enforcement actions.

The applicant contends that construction of the new kitchen and banquet hall, as well as additional office and meeting rooms will alleviate the unpermitted business activity and associated outside loitering related to such activities, which obstructs access to the parking area. Staff agrees with this presumption and supports the project for the same reasons.

Mitigation: Conditions of approval have been added to the attached resolution which prohibits such unpermitted business activities and structures in the interim while the addition is constructed, and requires that existing structures on the property obtain building permit(s) prior to the issuance of final occupancy for the church addition.

IV. Environmental Review

Based upon staff review of the project, the proposed church addition will not have a significant effect on the environment. Thus, the project is found to be Categorically Exempt, pursuant to California Environmental Quality Act Guidelines, Article 19, Section 15332(a-e) – In-Fill Development Projects. A Notice of Exemption will be prepared and recorded if this project is approved.

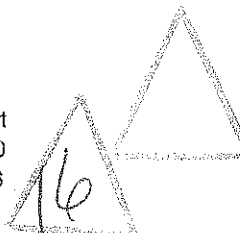
V. Recommendation

That the Planning Commission:

- 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. 1359-10 TO THE CARSON REDEVELOPMENT AGENCY FOR CONSTRUCTION OF A 2,535-SQUARE-FOOT ADDITION TO AN EXISTING 1,975-SQUARE-FOOT CHURCH BUILDING LOCATED AT 2581 E. CARSON STREET."

VI. Exhibits

1. Land Use Map
2. Draft Resolution
3. Development Plans (Under Separate Cover)




Prepared by:


Steve Newberg, AICP, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Officer

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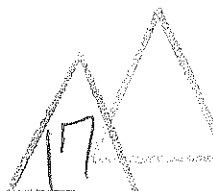


EXHIBIT NO.3

11. PUBLIC HEARING

E) Design Overlay Review No. 1359-10

Applicant's Request:

The applicant, Our Lady of Guadalupe Church, Reverend Efren Cortez, is requesting construction of a two-story, 2,535-square-foot addition to an existing one-story, 1,975-square-foot church building, and related parking lot and landscaping improvements on a total of 21,626-square-foot lot located in the CG-D (Commercial, General – Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area. The subject property is located at 2581 East Carson Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to 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. 1359-10 to the Carson Redevelopment Agency for construction of a 2,535-square-foot addition to an existing 1,975-square-foot church building located at 2581 East Carson Street."

Chairman Faletogo asked how many parking spaces this church has and how large its congregation is.

Associate Planner Newberg stated that there are currently 39 parking spaces and that the church has six mass/services on Sundays, starting at 8:00 A.M. and ending at 6:00 P.M., each service lasting an average of 45 minutes. He noted that the maximum occupancy in the sanctuary is approximately 90 people.

Chairman Faletogo questioned whether mass/service parishioners are arriving on scene while another service is taking place or soon ending, noting his concern with overcrowding of parking and traffic/pedestrian safety.

Associate Planner Newberg stated that is possible and noted that in order to lessen the impact of back-to-back service activity, staff is suggesting an additional condition that the community room not be used/open at the same time as the sanctuary area.

Chairman Faletogo expressed his belief that will not adequately reduce the parking congestion, pointing out this church has not been abiding by some of its obligations.

Commissioner Goolsby mentioned he has built several churches during his construction career with limited parking and requirements placed on these churches not to have simultaneous activities going on at the same time and advised that when the construction was completed, many of the churches ignored this condition. He asked staff how the City plans to monitor this church's adherence to this condition.

Associate Planner Newberg stated that the City's Code Enforcement Department is charged with enforcing adherence to conditions of approvals.

City Attorney Wynder stated that adherence to the conditions of approval apply to every application that comes before the Commission and that the City ultimately has to rely on the honor system for each to obey the conditions of approval, but added that Code Enforcement is available to enforce the conditions of approval when necessary. He added that much of the Code Enforcement system is complaint-driven. He explained that the issue before the Commission this evening is – are the conditions of approval that staff is recommending sufficient to mitigate against the concerns that staff has raised – always recognizing that obedience to the conditions of approval are going to be an issue in any discretionary land use application the Commission ever hears; and pointed out that hopefully because the City is dealing with a church's commitment to

EXHIBIT No. 4

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Commissioner Gordon asked staff how their parking calculations are made.

Associate Planner Newberg explained that one of three ways can be calculated but stated that it averages out to the same number in this case, noting that taking the largest assembly area here, it's calculated at one parking space for every 35 square feet of sanctuary area.

Commissioner Gordon commented on the separation between the community room and the sanctuary and asked for clarification on what staff means by the word "open" when referring to the use of the community room versus the sanctuary.

Associate Planner Newberg stated that because the community room and the sanctuary are separated by a wall, the community room is calculated separately in terms of parking, one parking space for each 21 square feet of community room area, noting they currently need 30 spaces.

Planning Officer Repp stated that it would be acceptable for one or two individuals to be in the community room preparing for an event in that room while a service is taking place in the sanctuary, such as setting up tables, chairs, and that would not be considered open for public use. She added that if people are lingering inside the community room drinking coffee and eating cookies/donuts while the next service activity in the sanctuary is beginning to take place, that would be considered two activities taking place at the same time and over-extending the limited parking availability, which would be prohibited. She reiterated that the condition clearly states the church is prohibited from over-lapping its use of both rooms at the same time and that it is necessary for this church to put in place operational standards to make sure they never have that overlap. She pointed out it is important for the church not to negatively interfere with the enjoyment of life for the residents and businesses.

Commissioner Gordon stated that the word "open" needs to be more definitive.

Commissioner Saenz asked if any recent complaints have been received with regard to the activities at this church, other than what is cited in the report.

Associate Planner Newberg stated that he received a call from an adjoining neighbor to the east who complained about parking issues and constant blocking of his driveway which fronts Carson Street, noting that staff believes the conditions will help alleviate some of the parking problems.

Planning Officer Repp stated that most recently during the public hearing process, staff has not received a lot of complaints, but pointed out that staff has received a significant number of complaints over the years regarding this property where the church has become more popular/successful than what the property can handle, noting this is a big concern in terms of increasing parking that is intruding into the neighborhoods; advised that non-permitted activities have been taking place in the parking lot of the church, such as selling of prepared food and drinks, and that there is a party-like atmosphere spilling out from the building into the parking lot. She stated that the church is proposing this addition to internalize those parking lot activities, but that in terms of code enforcement activities, it has been a significant concern. She stated that the neighborhoods and nearby businesses have been significantly impacted and stated she is hopeful the church will abide by the code requirements and the conditions for approval.

Chairman Faletofo opened the public hearing.

Rev. Cortez, pastor of Our Lady of Guadalupe, noted his concurrence with the conditions of approval. He stated that he had been communicating with the Planning Department and former City Manager Groomes about the code violations that have been taking place on this property, noting it's been happening because they don't have the proper building size for their activities. He advised that they use the outdoor canopy to teach bible classes outside due to the lack of room inside; and stated that the

Chairman Faleto go asked how many parishioners attend the six services at this church.

Rev. Cortez stated that because his congregation is growing, he's had to add more services, urging more of his parishioners to come to the various services he offers on Sundays to limit the impact to the community, pointing out his church is vastly growing in its number of parishioners. He stated he is aware that the activities on this property are negatively impacting the neighbors and businesses; that he intends to add Saturday evening services; and stated that he is welcoming and accommodating all new parishioners who wish to join his growing congregation.

Commissioner Saenz asked how Rev. Cortez plans to address the continuous violations, highlighting the unlicensed and illegal sales and preparation of food and other items being sold on the church parking lot.

Rev. Cortez stated that he has addressed these problems; stated that he didn't know there was somebody selling items on this property and that once he was aware of it, he told them they were not allowed to do that any longer.

Planning Officer Repp advised that one of the additional conditions relates to the temporary structures, adding - "The applicant shall prohibit temporary structures, including but not limited to, tents and shading devices from being erected on any parking area unless prior written approval is received from the Planning Division." She stated that Planning Division approval shall only be granted on an infrequent basis, such as once or twice a year. She asked if that would be acceptable.

Rev. Cortez stated "yes."

Planning Officer Repp stated that the second condition is related to the garage structure, adding - "The original garage structure shall not be used for offices or any habitable purposes and shall be used solely for storage." She asked if that would be acceptable.

Rev. Cortez stated "yes."

Planning Officer Repp added 46C, "No opening shall be permitted in the walls between the existing church building and the proposed building unless prior approval is obtained from the Planning Commission and all building permits are obtained." She asked if that would be acceptable.

Rev. Cortez stated "yes."

Planning Officer Repp stated the last condition would be 11A - "The proposed community/recreation room shall be reduced in size to meet the parking requirements established by the Carson Municipal Code and shall not be utilized in such a way to exceed the parking available on the church property. The community/recreation room shall not be actively utilized at the same time the main sanctuary is being used."

Rev. Cortez stated "yes."

Planning Officer Repp stated the discussion has been very clear that if one service has ended and people have gone to the community room, they must leave that room within a half hour before the next one is supposed to start so there is no overlap. She stated this would also apply if the community room is being used for any other activity, whether it be a quinceaneras or any other activity, the church representatives are to make sure the people who are utilizing the room are not bringing more people onto the property than what the church can accommodate in parking, that the church officials are to restrict their use. She noted that in talking with community members, one other condition should be added related to parking in situations where there are weddings or quinceaneras, there's often the use of limousines that are not coming onto the property and are blocking traffic on the street, which is a violation of the Vehicle Code; and she suggested adding a condition which requires that "The church, under any circumstance



individuals are aware they are not allowed in any way to block public use or utilize the streets in a manner that is incompatible with Vehicle Code requirements or do not create a public nuisance or safety issue."

Rev. Cortez stated "alright."

Chairman Faleto go asked Rev. Cortez if he is in agreement with the proposed language and added conditions of approval.

Rev. Cortez stated "yes."

Commissioner Schaefer stated that because Rev. Cortez has confirmed his congregation is growing and that the parking is an issue, she asked if anyone has considered offsite shuttle service to help eliminate parking and traffic problems, possibly utilizing the parking lots of nearby businesses that are closed on Sundays.

Rev. Cortez stated that they had done a test a year ago of offsite shuttling and advised that it was successful in reducing the number of complaints. He added that they have a large celebration each year to celebrate Lady of Guadalupe and that this celebration lasts three days.

Associate Planner Newberg advised that staff had not considered shared parking arrangements for this church because there was no parking nearby that could be arranged that would also meet the Zoning Code, being within 400 feet of this site. He stated that staff could consider a shuttle service proposal if one came before them.

Planning Officer Repp asked Associate Planner Newberg to state what the occupancy would be for the two rooms that would be subject to assembly requirements.

In terms of the existing church, Associate Planner Newberg stated it would be based on the square footage of the sanctuary area, which is 90 people max. He stated that the new occupancy for the community room would be 40 people max; and added that a combined maximum occupancy would be around 130 to 140 people.

Commissioner Saenz suggested this church raise funds to purchase a larger building on a more appropriately sized lot.

Rev. Cortez mentioned that one of his parishioners who won the California lottery has offered to help purchase land for the church, noting he is willing to purchase more property if it becomes available.

There being no further input, Chairman Faleto go closed the public hearing.

Planning Commission Decision:

Vice-Chairman Park moved, seconded by Commissioner Diaz, to continue this matter to the March 10th meeting. (This motion was superseded).

By way of a substitute motion, Commissioner Saenz moved, seconded by Commissioner Verrett, to approve the applicant's request. (The makers of the substitute motion withdrew this motion.)

Highlighting Vice-Chairman Park's motion for a continuance, Planning Officer Repp advised that it came to staff's attention just prior to this public hearing that the public notice posted onsite had been removed and is no longer visible for public view; and stated that it has come to staff's attention that community members in the surrounding area were unaware that a public hearing was being considered this evening for this matter.

Associate Planner Newberg confirmed that a public hearing poster had been posted on the church window 20 days prior to this evening's meeting, but when he visited the site today, there was no visible poster; and added that he does not know when it had been removed.



Planning staff's concern with regard to the early removal of the public hearing notice on site, Commissioner Saenz withdrew his substitute motion.

Vice-Chairman Park stated that as the president of the Dominguez Homeowner's Association, he has tried for years to find some type of common ground to mitigate the problems being caused by the church activities; and pointed out that Rev. Cortez stated that his congregation is increasing in number. He addressed his concerns with no code enforcement on weekends and the weekend activities on this site that is causing a nuisance and traffic safety concerns, pointing out that the parishioners are parking in the neighborhoods up to 1,000 feet away from this church; and advised that the Sheriff's Department will only assist with limited parking issues. He noted that he has a stack of complaint letters over the years about the nuisance activities at this church, noting that approximately 1,000 members of his homeowner's association in this area are being negatively impacted each weekend. He advised that he tried to meet with Rev. Cortez just before this evening's meeting and offer to sit down and come up with a meaningful way to resolve the issues plaguing this community and relieve the problems; and he pointed out that Rev. Cortez was not receptive and was unwilling to meet and confer. He stated that an amicable solution to the problems the residents are experiencing must be worked out. He stated there was no poster on site today when he viewed the property and expressed his concern that firm conditions need to be put in place because this church has knowingly violated many codes in the past eight years.

Commissioner Diaz echoed Vice-Chairman Park's comments; and stated that because the notice was not posted on site for the full time, he agrees that this matter should be continued.

Commissioner Verrett withdrew her second on the substitute motion; and stated she agrees the church should be willing to work with the community to resolve the concerns and issues impacting the residents and businesses.

City Attorney Wynder stated the City has a legal duty to demonstrate staff posted this property for the entire period of time; that if staff cannot demonstrate today the poster was up for the entire time, a new public hearing will need to be re-noticed instead of a simple continuance; that the property will have to be reposted and notices will have to go out to the community; otherwise, he stated the City exposes itself to litigation. He asked if Rev. Cortez understands and accepts staff's recommendation to renotice this hearing to an unspecified date.

Rev. Cortez stated that he understands the attorney's explanation, stating that he does not know who removed the poster from the church window; and stated that he is willing to meet and work out the issues of concern.

City Attorney Wynder suggested the property be posted in multiple places this time around and that a photograph of the poster be taken each day to prove it remains visible for the entire period. He asked if Rev. Cortez agrees.

Rev. Cortez stated "yes."

Commissioner Schaefer reiterated her desire for staff and the applicant to address the possibility of a shuttle service.

Commissioner Diaz suggested the posted notice be inside the window facing outward to the street.

Planning Officer Repp stated that the minimum posting activity will take 20 days; that staff will help the church coordinate a community meeting to address the community's concerns; and stated it is likely if all goes as planned, the Planning Commission meeting for this item will take place in April. She highlighted the necessity for a collaborative approach to work out all the issues of concern to everyone involved and to address the issues honestly and openly so it ends up being the best situation for all involved.



the meeting(s), stating it most likely should be vice-Chairman Park since he is the president of the neighborhood homeowner's association.

Commissioner Diaz stated that he'd also like to be invited to attend the meeting(s), noting he is directly impacted in this community.

Planning Officer Repp clarified that staff will contact the Dominguez Homeowner's Association to set up a meeting; and that anyone who is associated with that organization or a stakeholder would likely be able to participate in that meeting(s), noting those community meetings are generally open meetings.

Without objection, Chairman Faletogo continued this item to a date uncertain to allow for a community meeting (absent Commissioner Brimmer).





CITY OF CARSON

March 10, 2011

Fr. Efren Cortez
Our Lady Of Guadalupe Church
2583 E. Carson Street
Carson, CA 90810

Re: Design Overlay Review No. 1359-10, Church Addition

Dear Fr. Cortez,

We will be preparing a new public hearing notice so that the proposed new building can be considered by the Planning Commission. We are tentatively looking at April 12, 2011 for the public hearing. We will coordinate with you so that the hearing notice can be posted on the church property. Please make sure that the notice is placed on the interior of the window or secured so that it remains during the entire posting period.

As discussed with your architect and in my voicemail left for you today, in order to prepare for the public hearing, we plan on visiting the church on one or more Sundays to confirm the number of parishioners who typically attend and to observe any other features associated with the church activities. We are hoping that our visits will help us better understand the needs of the church and the neighborhood. It will either be me or another member of the Planning Division staff that will be visiting your site. This Sunday, our Planning Technician, McKina Alexander is likely to visit the church. She will try to introduce herself if she arrives before one of the services.

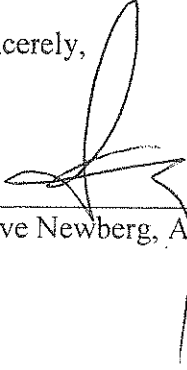
We will meet with you and your architect in the next several weeks to discuss opportunities for the church to address code requirements and measures to minimize impacts on the community. We will be preparing conditions of approval to address code requirements and other areas that will make sure the proposed development is compatible with the surrounding area. We will discuss the potential conditions during this meeting so that you will be better prepared to answer questions raised by the Planning Commission or community during the public hearing.

I also wanted to advise that we have put a call in to the property owner of the former water company property located across the street. It is our hope that he will be interested in talking with you about a parking agreement. As we all know, parking is a major concern for the community and any efforts to more effectively control parking will be a great benefit. As such, please continue with your efforts to schedule more services, to encourage parishioners to carpool and to balance the attendance at the scheduled services.



If you have any questions, please phone me at (310) 952-1761.

Sincerely,



Steve Newberg, AICP, Associate Planner

*cc: Miguel Casillas, Architect
2583 E. Carson Street Address File
D1359-11 Project File*



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL OF DESIGN OVERLAY REVIEW NO. 1359-10 TO THE CARSON REDEVELOPMENT AGENCY FOR CONSTRUCTION OF A 2,535-SQUARE-FOOT ADDITION TO AN EXISTING 1,975-SQUARE-FOOT CHURCH BUILDING LOCATED AT 2581 E. CARSON STREET.

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

Section 1. An application was duly filed by the applicant, Our Lady Of Guadalupe Church, with respect to real property located at 2581 E. Carson Street and described in Exhibit "A" attached hereto, requesting approval of a Site Plan and Design Review to construct a 2,535-square-foot, two-story addition to an existing 1,975-square-foot church building on a 0.30-acre lot. The subject property has a General Plan designation of General Commercial, is zoned CG-D (Commercial, General – Design Overlay), and within the Carson Consolidated Redevelopment Project Area.

A public hearing was duly held on May 24, 2011, 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. Pursuant to Section 9172.23(D), "Site Plan and Design Review – Approving Authority Findings and Decision" of the Carson Municipal Code (CMC), the Planning Commission finds that:

- a) The subject property and adjacent properties are designated as General Commercial and Low Density Residential within the Land Use Element of the General Plan. The subject property fronts Carson Street on the south with commercial uses adjacent on the west side, residential north and east, with multi-family residential properties across Carson Street. There are no specific plans for the area. The proposed use is permitted in the CG-D (Commercial, General – Design Overlay) zone and will be compatible with the surrounding uses.
- b) The proposed project meets the goals and objectives of the Carson Consolidated Redevelopment Project Area by improving the property and preventing the spread of blight within the Project Area.
- c) The 2,535-square-foot, two-story church addition is proposed for the property. The building will provide church offices, restrooms, meeting rooms, and a kitchen with a banquet hall to serve parishioners coming from the main sanctuary located in the existing church building. Landscaping will be added along the west side of the church addition, with additional areas located in the front yard along Carson Street. The proposed project will be compatible with



existing and anticipated development in the vicinity, in terms of aesthetics, use and other features relative to harmonious development.

- d) The proposed addition will be comprised of entirely new construction. As such, it is required to be compliant with the newest applicable building and zoning codes related to convenience and safety for pedestrians and vehicles. Adequate pedestrian access to the proposed addition and existing church building is available from both parking areas. The site plan depicts safe pedestrian and vehicular circulation onsite, ample and convenient disabled parking, driveway and parking space widths, pedestrian walkways, and traffic-friendly landscaping which helps screen parked cars while not obstructing the view of the building.
- e) There are no signs currently proposed for the subject property. The building color will be comprised primarily of beige stucco wall with brown and brick accent trim, and a decorative clay tile roof to match the existing church building. The building colors will be attractive and effective in terms of providing an aesthetic upgrade to the area and enhancing the existing church building. Any further signs will be reviewed and approved by staff in compliance with Section 9172.23 of the CMC.
- f) Conditions have been included to alleviate or minimize negative impacts associated with the past operations of the church use. The property will maximize the number of parking spaces onsite and restrictions have been identified to address traffic impacts associated with limousines servicing activities on the subject property. Given the unusual history of code violations and negative impacts to the neighborhood related to the church operations, the applicant, community and city interests would be served by a performance bond to emphasize the importance of the church obligations to maintain compliance and to facilitate the potential need for code compliance activities. A condition has been added to require a \$5,000 performance bond fee to be paid to the city to reimburse for any costs associated with code enforcement activities associated with this authorization and the CMC. The fee will be returned if there has been a continuous 24-month period in which the church has been found to be in compliance. This condition is intended to protect the public health and welfare of the surrounding neighborhood and individuals utilizing the church property.

Section 4. The Planning Commission further finds that the proposed church addition will not have a significant effect on the environment and as such, it has been deemed "Categorically Exempt", pursuant to California Environmental Quality Act guidelines, Article 19, Section 15332(a-e) – In-Fill Development Projects.

Section 6. Based on the aforementioned findings, the Commission hereby recommends approval of Design Overlay Review No. 1359-10 to the Carson Redevelopment Agency, with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.



Section 8. 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 24th DAY OF May, 2011.

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION
DESIGN OVERLAY REVIEW NO. 1359-10

Property Address: 2581 E. Carson Street

Parcel Identification Number: 7316-009-027

Lot 931 of Tract Map No. 6720, in the City of Carson, County of Los Angeles, State of California as per Map filed in Books of Maps, in the Office of the County Recorder of Said County.



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1359-10

GENERAL CONDITIONS

1. If Design Overlay Review No. 1359-10 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.

9. Building permits for all structures on the church properties shall be obtained prior to the issuance of a certificate of occupancy for the church addition. In the event that a building permit cannot be obtained for a structure, then a demolition permit for such structure shall be obtained and demolition completed prior to the certificate of occupancy issuance for the church addition.
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. 1359-10. 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.

Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.



PLANNING

15. The applicant shall prohibit temporary structures, including but not limited to, tents and shading devices from being erected on any parking area unless prior written approval is received from the Planning Division.
16. The original garage structure shall be demolished and additional parking provided pursuant to an approved site plan authorized by the Planning Division.
17. No opening shall be permitted in the walls between the existing church building and the proposed building unless prior approval is obtained from the Planning Commission and all building permits are obtained.
18. The proposed community/recreation room shall be reduced in size to meet the parking requirements established in the Carson Municipal Code and shall not be utilized in such a way to exceed the parking available on the church property. The community/recreation room shall not be actively utilized at the same time as the main assembly room (sanctuary). The community room shall not utilize speakers, monitors, or other devices in a manner that allow the room to be used for overflow seating for an activity conducted in the main assembly room.
19. The applicant shall ensure that required fire lanes remain unobstructed and that the requirements of the California Vehicle Code are maintained by not allowing church related parking or loading from Carson Street. The church shall also include provisions within any rental agreement or authorization to use the property prohibit the use of limousines, vans or other oversized vehicles, unless there is an assurance that there will be compliance with this condition.
20. The church use shall submit a \$5,000 performance bond fee to be paid to the city to reimburse for any costs associated with code enforcement activities associated with this authorization and the CMC. The fee will be returned if there has been a continuous 24-month period in which the church has been found to be in compliance, as determined by the Planning Division.

LANDSCAPING/IRRIGATION

21. 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.
22. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
23. The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.



24. 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.
25. 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

26. 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.
27. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
28. 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).
29. The applicant shall consult with Cal-Water, which requests that coordination of water services be conducted prior to beginning construction. A cost estimate may need to be prepared to evaluate system modifications to provide adequate supplies to the project.

AESTHETICS

30. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, where feasible, subject to Planning Division approval.
31. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
32. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
33. 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.).
29. There shall be no substantial deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Director of the Planning Division.



SIGNS

30. Business signs, temporary signs (banners, pennants, etc.), and all other 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.

FENCES/WALLS

31. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (industrial zones) of the Zoning Ordinance.
32. A six-foot high concrete-masonry unit block wall to match the building shall be placed along the full extent of the north property line, subject to the discretion and approval by the Planning Division.

LIGHTING

33. 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. Exterior lighting shall 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

34. 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).

AIR QUALITY

35. Temporary traffic controls (i.e., flag person) shall be provided during all construction phases to maintain traffic flow.
36. Exposed piles (i.e., gravel, sand, and dirt) shall be enclosed, covered, or watered twice daily, or an approved soil binder shall be used.
37. Streets shall be swept at the end of the day if visible soil material is carried over to adjacent roads.

NOISE

38. The project contractor(s) shall implement, but not be limited to, the following best management practices (BMPs):



- a. Exterior construction activities at the project site shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and shall exclude public holidays. Interior construction activities that do not generate exterior noise are exempt from this requirement.
- b. All construction equipment with a high noise generating potential, including all equipment powered by internal combustion engines, shall be muffled or controlled.
- c. Machinery, including motors, shall be turned off when not in use.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

39. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
40. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
41. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
42. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
43. 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.
44. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

BUILDING AND SAFETY

45. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.
46. The proposed project shall meet all requirements of the American Disabilities Act (ADA).

THE GAS COMPANY

47. Underground Service Alert (USA) must be notified 48 hours prior to commencing work @ (800) 442-4133 or (800) 227-2600.



PUBLIC SAFETY - CITY OF CARSON

48. 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.
49. Ensure compliance with current seismic mitigation codes.
50. 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.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

52. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
53. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
54. 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.
55. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
56. Repair any broken or raised sidewalk, curb and gutter along Carson Street and within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
57. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
58. 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.
59. Install streetlights on concrete poles with underground wiring along Carson Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
60. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be



installed. The annexation shall be completed prior to the issuance of Certificate of Occupancy (annexation procedure is approximately 12-month). The applicant may provide a bond to satisfy this condition, subject to the approval of the Engineering Department

61. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
62. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Carson Street.
63. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
64. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
65. Offsite water improvements are tentatively required.
66. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
67. A construction permit is required for any work to be done in the public right-of-way.
68. 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.
69. 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.
70. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
71. Prior to issuance of Building Permit, the following must be on file:
 - a) Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.



- 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.
72. 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.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

73. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the project, including but not limited to contractors and subcontractors, will need to obtain a valid City Business License.
74. All businesses currently operating on the property shall obtain necessary business license approval, effective immediately.

