



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

NEW BUSINESS DISCUSSION: September 27, 2011

SUBJECT: Design Overlay Review No. 1419-11

APPLICANT: Benny Natanzi  
655 East Carson Street  
Carson, CA 90745

PROPERTY OWNER: Carson Avalon Properties, LLC  
410 South Beverly Drive  
Beverly Hills, CA 90745

REQUEST: To permit the sale of diesel fuel at a service station located within the CR-D (Commercial, Regional – Design Overlay Review) zone.

PROPERTIES INVOLVED: 655 East Carson Street

### COMMISSION ACTION

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

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

***Item No. 12A***

## I. Introduction

The applicant, Benny Natanzi is requesting approval of Design Overlay Review (DOR) No. 1419-11 to sell diesel fuel at an existing service station (Chevron) located at 655 East Carson Street on the northwest corner of Avalon Boulevard and Carson Street. (Exhibit No. 2).

The subject property is zoned CR-D (Commercial Regional, Design Overlay) and has a General Plan land use designation of Regional Commercial. The site is also within the Carson Consolidated Redevelopment Project Area and Carson Street Master Plan. Although not required, staff has noticed neighboring property owners of the scheduled meeting.

Since the proposed improvements to the site do not involve the construction or remodel of existing structural buildings, is valued below \$50,000, and is limited to minor modifications to the existing fuel dispensers, the project would only require staff approval. However, Carson Municipal Code (CMC) Section 9138.2 (A)(1) requires Planning Commission approval for the sale of diesel fuel at automobile service stations. Therefore, this request has been referred to the Planning Commission for approval with no public hearing requirements.

## II. Background

The property site is approximately a half acre and occupied by a service station (Chevron), a 728-square-foot snack shop, and an attached 1,375-square-foot auto repair shop. The auto repair use is located within the existing building, adjacent to the snack shop. On January 25, 2011, the Planning Commission approved Conditional Use Permit No. 848-10, approving the auto repair use. Since then, the applicant has provided site improvements such as additional landscaping, new signage, and façade improvements.

There are two existing 13-foot high canopies, two dual-side multi-grade pumps under each canopy, and three underground fuel tanks. The applicant proposes to change one fuel tank and replace the multi-grade pumps to include diesel. The new diesel pumps will be located under each canopy at pump stations 1, 2 and 7, 8.

The subject property is bound by commercial uses to the north and west. Directly east of the site across Avalon Boulevard is City Hall and directly south of the site across Carson Street are additional commercial uses.

Concurrently on the agenda for the September 27, 2011 Planning Commission meeting is an ordinance amendment that includes modifying requirements for diesel sale to require a conditional use permit (CUP). If the amendment and DOR No. 1419-11 are approved by the Planning Commission, the sale of diesel fuel at 655 E. Carson Street will not require a CUP in the future because it would be considered exempt under the ordinance amendment.



### III. Analysis

Pursuant to CMC Section 9138.12(A)(1), the sale of diesel fuel at a automobile service station requires Planning Commission approval. The purpose for the review is to consider the compatibility of diesel fuel sales with the subject property and surrounding uses. Site design, property size, and property location are analyzed to evaluate whether a site is appropriate for the sale of diesel fuel.

The site is of moderate size for a gasoline station at 22,354 square feet and has four conforming drive approaches on Carson Street and Avalon Boulevard, allowing adequate access points for vehicles and trucks. Two 13-foot high canopies are also on site, which cannot accommodate large trucks that typically measure 13 feet high and 53 feet long.

Carson Street and Avalon Boulevard are not designated truck routes, however large trucks are allowed if delivering goods to a local destination. Large trucks are anticipated to pass through this location but unlikely to utilize the project site due to the low canopy height. The city's Traffic Engineer has reviewed the plans and determined the existing site can accommodate small trucks and vehicles.

Staff believes allowing large body trucks to fuel at this site would be inappropriate and not compatible with the intended character of the area and the Carson Street Master Plan. There is a need for diesel sales in our community for private vehicles and small trucks (i.e., delivery trucks, single-body trucks, etc.), therefore staff believes diesel fuel sales are appropriate for vehicles and small trucks only. Although the existing height of the canopy is too low for large trucks, staff recommends adding conditions to prohibit large trucks such as tractor-trailers, vehicles with three or more axles, and double body trucks from fueling at the project site to prevent adverse impacts to the surrounding area.

The applicant has agreed to prohibit diesel sales to large trucks and limit sales to private vehicles and small trucks only. Appropriate signage will be installed.

### IV. Conclusion

Staff believes the sale of diesel fuel can be accommodated at the site, would not create any adverse effect to the surrounding area, and recommends approval by the Planning Commission with the following conditions:

1. The site shall not be used for the fueling of large trucks, double-body trucks, tractor trailers, or vehicles with three or more axles.
2. Signs shall be posted on-site, visible to traffic on Avalon Boulevard and Carson Street, prohibiting large trucks, double-body trucks, tractor trailers, or vehicles with three or more axles from fueling at the site. The location, size and type of sign must be reviewed and approved by the Planning Division prior to installation.



**V. Environmental Review**

Pursuant to Section 15301(a) – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the approval of the sale of diesel fuel for an existing service station located at the project site is exempt. The project does not have the potential to cause a significant effect on the environment.

**VI. Recommendation**

That the Planning Commission:

APPROVE Design Overlay Review No. 1419-11; and

WAIVE further reading and ADOPT Resolution No. 11-\_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1419-11 TO PERMIT THE SALE OF DIESEL FUEL AT AN EXISTING SERVICE STATION LOCATED AT 655 EAST CARSON STREET."

**VII. Exhibits**

1. Draft Resolution
2. Site Map
3. Site Plan

Prepared by:

  
Sharon Song, Associate Planner

Reviewed by:

  
John F. Signo, AICP Senior Planner

Approved by:

  
Sheri Repp-Loadsman, Planning Officer



**CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW  
NO. 1419-11 TO PERMIT THE SALE OF DIESEL FUEL AT AN  
EXISTING SERVICE STATION LOCATED AT 655 EAST  
CARSON STREET**

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

**Section 1.** An application was duly filed by Benny Natanzi, with respect to real property located at 655 East Carson Street, and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review No. 1419-11 to permit the sale of diesel fuel at an existing service station located at 655 East Carson Street in the CR-D (Commercial, Regional - Design Overlay Review) zoning district.

A scheduled meeting was duly held on September 27, 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. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 2.** The Planning Commission finds that:

- a) The property lies within the area designated on the General Plan as available for Regional Commercial uses and bears a consistent zoning classification of CR-D (Commercial, Regional – Design Overlay). The site is also within the Carson Consolidated Redevelopment Project Area and Carson Street Master Plan.
- b) Carson Municipal Code (CMC) Section 9138.2 (A)(1) requires Planning Commission approval for the sale of diesel fuel at automobile service stations. The Planning Commission approved Conditional Use Permit No. 848-10 on January 25, 2011, for the auto repair use. The proposed diesel sale will be compatible with the existing uses at the site.
- c) The site has two existing 13-foot high canopies, two dual-side multi-grade pumps under each canopy, and three underground fuel tanks. The applicant proposes to change one fuel tank and replace the multi-grade pumps to include diesel. The new diesel pumps will be located under each canopy at pump stations 1, 2 and 7, 8.
- d) The subject property has sufficient space to accommodate the proposed use and provide adequate driveways and access.



- e) Carson Street and Avalon Boulevard are not designated truck routes and adequate signage will be provided to prohibit large-size trucks.
- f) The proposed sale of diesel fuel is compatible with the intended character of the area if large body trucks are prohibited from fueling at the site. Conditions have been added to prevent any adverse impacts from large-size trucks.

**Section 3.** The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(a) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1419-11 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 5.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 6.** 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 27<sup>th</sup> DAY OF SEPTEMBER, 2011**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**



## Exhibit "A"

**The land referred to herein is situated in the State of California, County of Los Angeles, and described as follows:**

Parcel 1, in the County of Los Angeles, State of California, as shown on Parcel Map No. 1372, as per Map filed in Book 26, Page 91 of Parcel Maps, in the office of the County Recorder of said County.

APN: 7337-011-038

(End of Legal Description)



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**DESIGN OVERLAY REVIEW NO. 1419-11**

GENERAL CONDITIONS

1. If Design Overlay Review No. 1419-11 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. 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. 1419-11. 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.
10. The site shall not be used for the fueling of large trucks, double-body trucks, tractor trailers, or vehicles with three or more axles.
11. Signs shall be posted on-site, visible to traffic on Avalon Boulevard and Carson Street, prohibiting large trucks, double-body trucks, tractor trailers, or vehicles with three or more axles from fueling at the site. The location, size and type of sign must be reviewed and approved by the Planning Division prior to installation.
12. 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.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

13. 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.
14. All businesses currently operating on the property shall obtain necessary business license approval, effective immediately.





# SCOPE OF WORK

1. REMOVE TWO (2) EXISTING DISPENSERS No. 5/6 AND 7/8.  
NOTE: NO CONCRETE TO BE BROKEN. PRODUCT LINES TO BE DISCONNECTED AT UNIONS.
2. INSTALL TWO (2) NEW WAYNE OVATION 3-1 DISPENSERS (No. 5/6 & 7/8 WITH DIESEL ON BOTH SIDES) USING EXISTING DISPENSER UDC'S AND PRODUCT PIPING. NOTE: WAYNE DISPENSERS TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
3. REMOVE EXISTING HEALY VP1000 PUMPS AND VEEDER-ROOT ISD FROM EXISTING DISPENSERS AND INSTALL IN NEW DISPENSERS.  
NOTE: ALL HEALY AND VEEDER-ROOT EQUIPMENT TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
7. CONVERT EXISTING 89 UNLEADED PLUS TANK TO 91 SUPER UNLEADED TANK, AND CONVERT EXISTING 91 SUPER UNLEADED TANK TO DIESEL FUEL TANK.
8. DEGAS EXISTING EXISTING 91 SUPER UNLEADED TANK, TRIPLE RINSE AND READY FOR DIESEL FUEL.  
NOTE: DEGAS AND TRIPLE RINSE TO BE DONE BY OTHERS.
9. EXISTING VAPOR LINE MANIFOLD CAPPED OFF IN DIESEL TURBINE SUMP.
10. START UP AND CALIBRATE NEW DISPENSERS. NOTE: START UP AND CALIBRATION TO BE DONE BY OTHERS.
11. PERFORM FINAL INSPECTION IN FRONT OF INSPECTOR.

## GENERAL NOTES:

- A. CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE AND BETWEEN THESE PLANS AND REPORT ANY DISCREPANCIES TO THE COMPANY REPRESENTATIVE PRIOR TO COMMENCING WORK.
- B. ALL WORK SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL CODES AND REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING ALL AGENCY INSPECTIONS.

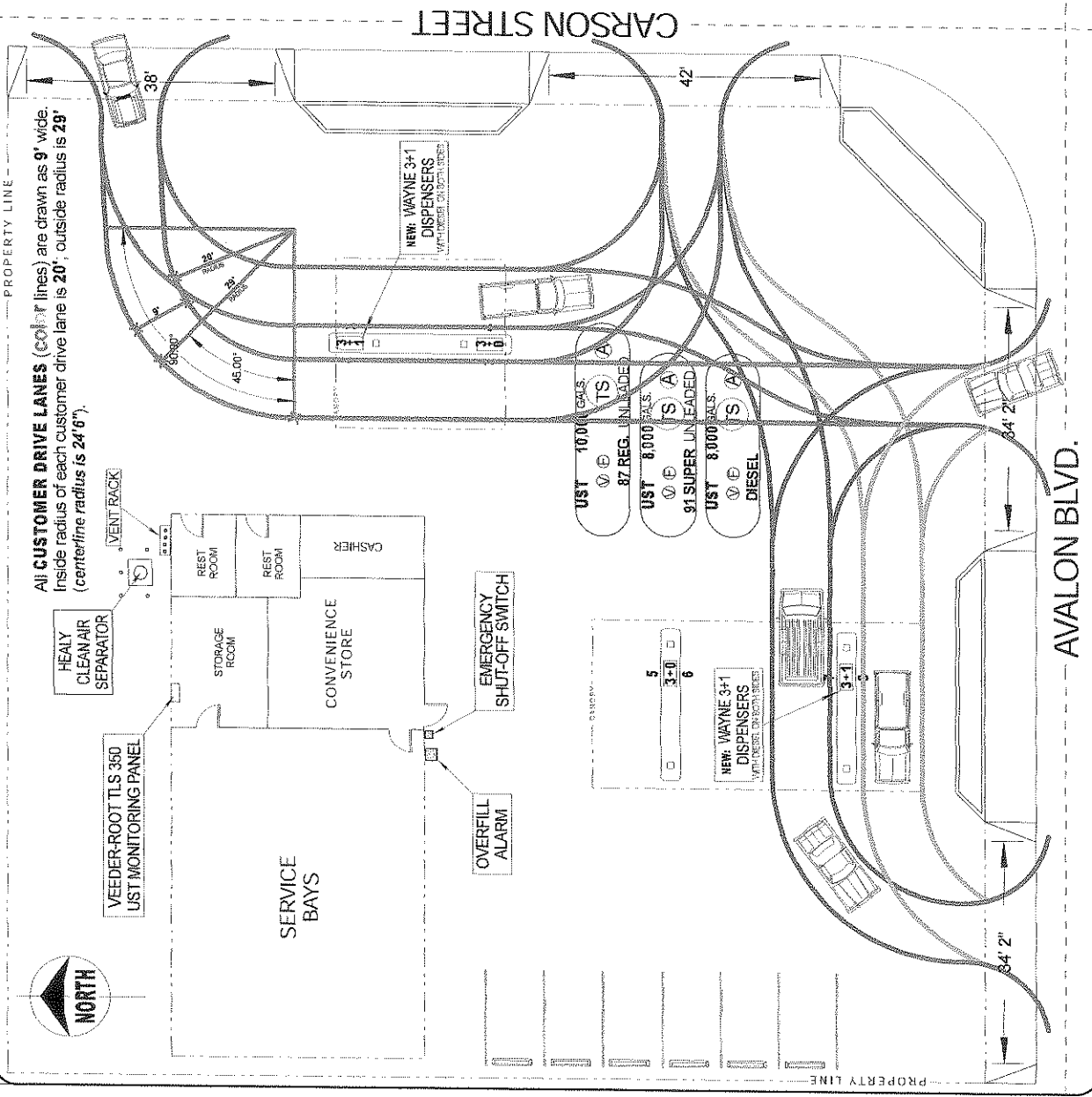
**ROSS McCLAREN**  
FUEL SYSTEMS CONSTRUCTION  
NEW HALL, CA 94524 • (925) 394-1874

PROJECT ADDRESS:  
**Avation Off-Corperation**  
655 E. Carson Street  
Carson, CA 90745

**Plot Plan and Scope of Work**

SHEET **TP-1**

TANK & DISPENSER	3-1	3-1
1. 3-1	3-1	3-1
2. 3-1	3-1	3-1
3. 3-1	3-1	3-1
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76. 3-1	3-1	3-1
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96. 3-1	3-1	3-1
97. 3-1	3-1	3-1
98. 3-1	3-1	3-1
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100. 3-1	3-1	3-1



All CUSTOMER DRIVE LANES (color lines) are drawn as 9' wide.  
Inside radius of each customer drive lane is 20'; outside radius is 29'  
(centerline radius is 24' 6").

CARSON STREET

AVALON BLVD.

