



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 12, 2012

SUBJECT: Variance No. 528-12

APPLICANT: Paul Schifino, Anvil Steel President
137 West 168th Street
Carson, CA 90248

REQUEST: A variance request from Carson Municipal Code (CMC) Section 9146.24 for reduction of the required 10-foot setback to 2 feet along 168th Street for a site located in the MH (Manufacturing, Heavy) zoning district

PROPERTY INVOLVED: 16619 and 16629 S. Main 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			

I. Introduction

The applicant, Paul Schifino, is requesting approval of Variance (VAR) No. 528-12 to reduce the required landscape setback along 168th Street from 10 feet to 2 feet as required by Carson Municipal Code (CMC) Section 9146.24 for a site located at 16619 and 16629 Main Street (Exhibit No. 2).

The applicant contends other properties in the area enjoy the privilege of having a wall within the required 10-foot setback. The applicant further states the setback requirement would be unfair for this property given the existing conditions for other industrial properties in the vicinity (Exhibit No. 3).

II. Background

This existing 10-foot high perimeter wall was originally constructed to provide security and screen visibility of the previous scrap yard use (Prime Environmental). In 2000, the applicant purchased the subject property for purposes of expanding the Anvil Steel operations. On January 30, 2001, the Planning Commission recommended approval of Design Overlay Review No. 733-00 to the Redevelopment Agency for refurbishment of the site including the perimeter wall (Exhibit No. 4). However, the refurbishment of the wall was never completed and was mainly left neglected for several years.

On December 14, 2010, the Planning Commission approved Modification No. 1 for construction of a new 11,784-square-foot storage shed canopy and completion of the unfinished work related to DOR No. 733-00, (Exhibit No. 5). Approval of modification No. 1 included a condition of approval to demolish the existing wall and construct a new wall along 168th Street with a 10-foot landscape setback. Subsequently, on April 12, 2011, Planning Commission approved Modification No. 2 which modified certain conditions of approval at the request of the applicant (Exhibit No. 6). The applicant's main contention with these conditions of approval was the added cost to the project. Staff recommended deletion of two conditions of approval to prepare a sewer area study and installation of the street lights. However, staff recommended keeping the conditions of approval for street trees and undergrounding of utilities. The Planning Commission approved the project as recommended by staff and deleted the condition of approval related to undergrounding of utilities but did not change the landscaping requirements.

III. Analysis

Section 9172.22 of the Carson Municipal Code states a variance from the terms of this Chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of

Planning Commission Staff Report
VAR No. 528-12
June 12, 2012



privileges enjoyed by other properties in the vicinity and under identical zoning classification. The site is rectangular-shaped, fairly flat, and 1.5 acres in size and the applicant owns the adjacent parcel which is just under one acre. The subject property is similar in size to other properties in the immediate area. It is a corner lot in an industrial area. It is staff's opinion that setbacks for other properties in the surrounding area do not justify a reduction in the required 10-foot setback for this property.

There are no special circumstances applicable to the subject property, including size, shape, topography, location or surroundings. In fact, the applicant has submitted and received approval from the Planning Division for construction drawings that include construction of the new wall with a 10-foot landscape setback from the 168th Street. Therefore, this approval demonstrates that it is possible to construct a wall with the required 10-foot setback and there are no hardships or special circumstances applicable to this property such as size, shape, topography, location or surroundings.

The applicant's letter dated February 6, 2012, makes no references to the special circumstances applicable to this property (Exhibit No. 3). Instead, it states that it would be unfair to apply the current 10-foot setback requirement to his project because there are other neighboring properties such as 16801 S. Main Street that have a 2-foot setback along 168th Street. The variance procedure is intended to only examine the special circumstances that are applicable to the subject property.

Furthermore, on February 25, 2006, DOR 914-05 was approved for 16801 S. Main Street which is to the south and directly across the street from the subject property. The structure approved by DOR No. 914-05 was never constructed; however, the approved plans show a 10-foot landscape setback along 168th Street (Exhibit No. 7). Therefore, while the neighboring property currently has landscape setback of less than 10 feet, staff and the Planning Commission have been consistent in applying the current 10-foot landscape setback requirement for adjacent properties. Since Anvil Steel requested approval of Modification No. 1 for DOR No. 733-00 to add and construct a new structure, the required setback was applied to the project.

Staff realizes that compliance with this requirement may place a financial burden on the applicant. Therefore, on April 5, 2012, staff proposed a solution to the applicant that would allow them to move forward with the entire project but give them additional time to demolish and construct the new wall with the 10-foot landscape setback.

Pursuant to this proposal, the city would issue the building permit provided the applicant submits a letter to the city that the wall will be relocated to provide a 10-foot landscape setback. If the relocation of the wall and addition of landscaping are not completed by the time the applicant requests a certificate of occupancy, a bond will have to be posted equal to the amount of the improvements and an additional 6-12 months will be given for completion of the wall and landscaping. However, since the applicant submitted construction plans with the required setback, staff has issued the building permit. The applicant has indicated that he will start the construction of the project immediately if the Variance is approved. Otherwise, he would either not build

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the project or wait until the economy has improved and build the entire project including the wall with the required setback.

The most recent variance request for a reduction in the required landscape setback was related to property located at 1209 E. Carson Street. The property was proposed to be used by Rick's Lube and Tune. The property owner contended that there were other commercially zoned properties that only provided 5 feet of landscape setback and that his property should have the same standard. The Planning Commission and the City Council on appeal determined that there were no unusual circumstances that would warrant the granting of a variance. Specifically, the City Council determined that installation of landscaping along the street would not be detrimental to the proposed use and would allow for adequate parking and circulation on the property. Furthermore, approval of the variance request would be a special privilege not enjoyed by other properties in the area and under the same zoning designation.

The subject request for a variance for the property located at 16619 S. Broadway is substantially the same circumstance as the variance request for 1209 E. Carson Street. As such, there are no grounds that would warrant the granting of the requested variance.

IV. Environmental Review

Pursuant to Section 15303 – New Construction (Class 3) of the California Environmental Quality Act (CEQA), a variance request is exempt from the provisions of CEQA. Furthermore, pursuant to Section 15061(b)(4) of the CEQA Guidelines, a project is exempt if it is denied.

V. Recommendation

That the Planning Commission:

- **DENY** Variance No. 528-12; and
- **WAIVE** further reading and **ADOPT** Resolution No. 12-_____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING VARIANCE NO. 528-12 FOR THE PROPERTY LOCATED AT 16619 AND 16629 S. MAIN STREET."

VI. Exhibits

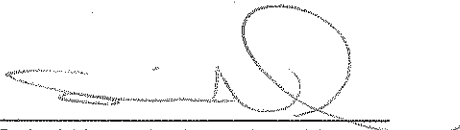
1. Draft Resolution
2. Site Map
3. Variance Justification Letter Dated February 6, 2012

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4. January 30, 2001, Planning Commission Staff Report, Resolution, Conditions of Approval, and Minutes
5. December 14, 2010, Planning Commission Staff Report, Resolution, Conditions of Approval, and Minutes
6. April 12, 2011, Planning Commission Staff Report, Resolution, Conditions of Approval, and Minutes
7. DOR 914-05, 16801 S. Main Street, Site Plan
8. Site Plan

Prepared by:


Saied Naaseh, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Officer



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 12-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON DENYING VARIANCE NO. 528-12 FOR THE
PROPERTY LOCATED AT 16619 AND 16629 S. MAIN 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 the applicant, Paul Schifino, with respect to real property located at 16619 and 16629 S. Main Street, and described in Exhibit "A" attached hereto, requesting the approval of Variance No. 528-12. The variance request is for Section 9146.24 (Side Yards) of the Carson Municipal Code (CMC), which requires a 10-foot side yard setback along a street. The variance is being requested to reduce the required landscape setback along 168th Street from 10 feet to 2 feet for a property located in the MH (Manufacturing, Heavy) zone.

A Planning Commission meeting was duly held on June 12, 2012, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

a) Carson Municipal Code Section 9146.24 (Side Yards) states that a 10-foot setback is required for a side yard along a street.

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

c) The requirement stated in Section 9146.24 of the CMC is not an undue hardship for the applicant because there are no special circumstances applicable to the subject property in terms of size, shape, topography, location and surroundings. The applicant's letter dated February 6, 2012, makes no references to the special circumstances applicable to the property. Instead, it states that it would be unfair to apply the current 10-foot setback requirement to the project because other neighboring properties, such as at 16801 S. Main Street, have less than a 10-foot setback for structures. The property at 16801 S. Main Street current setback has been determined to be legal, nonconforming and identified for correction as evidenced on a previous development plan approved by the city.

d) On February 25, 2006, DOR No. 914-05 was approved for 16801 S. Main Street which is south of and directly across 168th Street from the subject property. The structure approved by DOR No. 914-05 was never constructed; however, the approved plans show a 10-foot landscape setback along 168th Street. Therefore, while the neighboring property currently has a landscape setback of less than 10 feet, the city has been consistent in applying the required 10-foot landscape setback requirement. Since Anvil Steel requested approval of Modification No. 1 for DOR 733-00 to add and construct a new structure, it was



shown that a 10-foot setback can be provided along 168th Street without the need for a variance request.

e) The applicant owns the adjacent parcel which is approximately one acre in size. The subject property is similar in size to other properties in the immediate area. The site is a corner lot in an industrial area. There is nothing in the surrounding area that would justify supporting a reduction in the required 10-foot setback.

f) There are no special circumstances which pertain specifically to the subject property including size, shape, topography, location or surroundings, for which the strict application of the zoning code would work to deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

g) The subject site is rectangular-shaped, fairly flat and 28,715 square feet in area. The minimum lot size for the Manufacturing, Light zone is 20,000 square feet. The subject property exceeds the minimum lot size. There is adequate space on the property to provide code-compliant landscape setbacks, pursuant to CMC Section 9162.52(B)(1).

h) The applicant has been issued a building permit for a new crane bay. The site plan associated with the building permit provides for a 10 foot landscape setback in full conformance with Section 9146.24 and Seciton 9162.52(B)(1). The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.

i) Installation of landscaping along the street would not be detrimental to the proposed use and would allow for adequate parking and circulation on the property. Furthermore, approval of the variance request would be a special privilege not enjoyed by other properties in the area and under the same zoning designation.

Section 4. The variance request discussed above is exempt from the provisions of the California Environmental Quality Act as a Class 3 exemption, pursuant to Section 15303(e) of the CEQA Guidelines. Furthermore, pursuant to Section 15061(b)(4) of the CEQA Guidelines, a project is exempt from CEQA if it is disapproved by the City.

Section 5. Based on the aforementioned findings, the Commission hereby denies Variance No. 528-12 with respect to the property described in Section 1 hereof.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless an appeal is filed in a timely manner with the City Clerk in accordance with the provisions of the CMC.

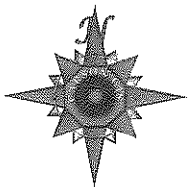
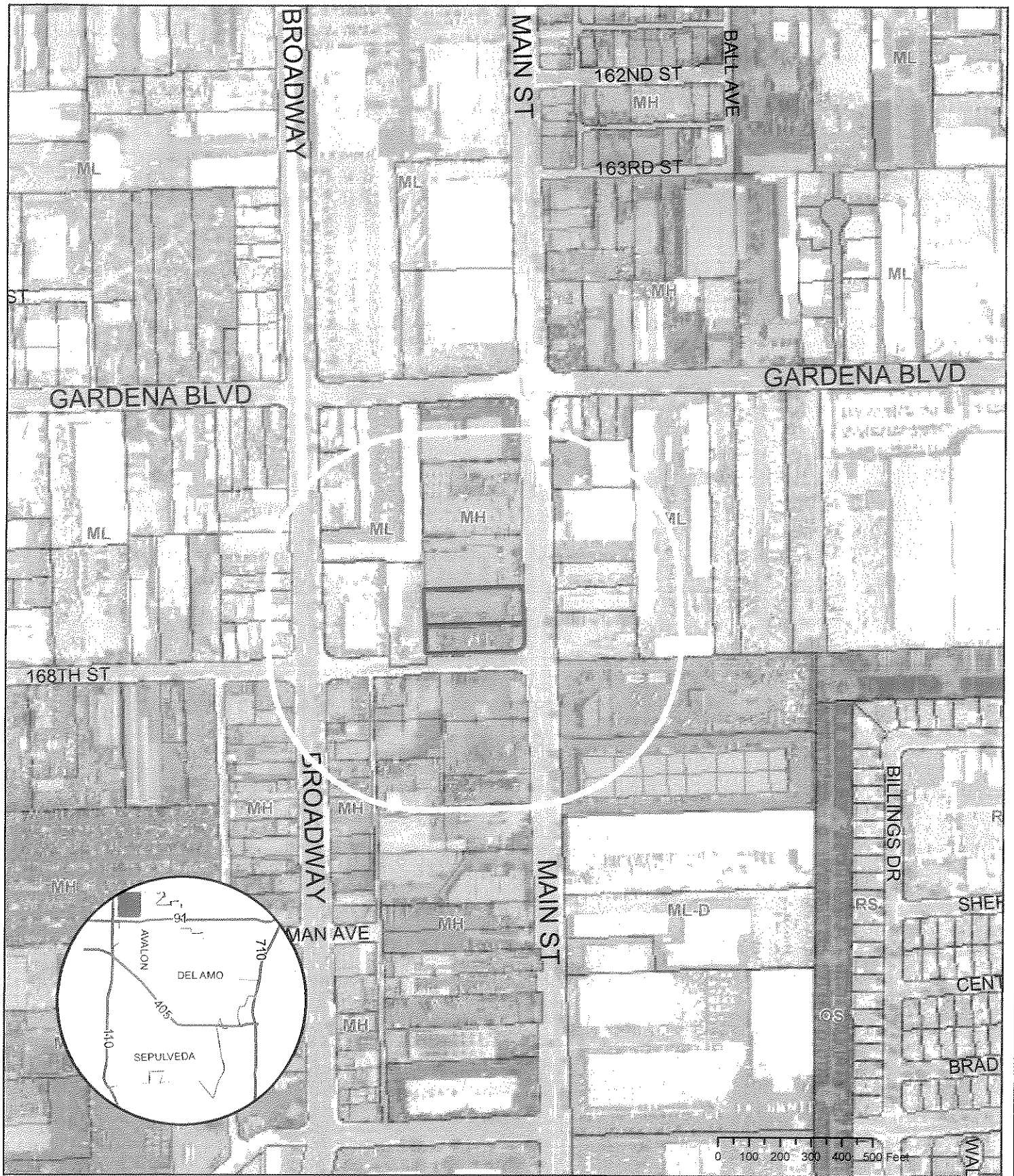
PASSED, APPROVED AND ADOPTED THIS 12TH DAY OF JUNE, 2012.

CHAIRMAN

ATTEST:

SECRETARY





City of Carson
500 Foot Radius Map
16619 and 16629 MAIN ST

EXHIBIT NO. 2 -

RECEIVED

2012 FEB -7 AM 10:56

ENGINEERING SERVICES
February 6, 2012 OF CARSON



STRUCTURAL & MISCELLANEOUS
LIC. NO. 345052

"QUALITY IS IN THE DETAILS"

Steven Newberg, AICP
Associate Planner
City of Carson – Planning Division
701 E. Carson St.
Carson, CA 90745

Re: 16619 South Main Street, Carson, CA

Dear Mr. Newburg:

Attached please find our application for a variance for a wall at 16618 South Main Street in Carson. The wall is approximately 2 feet off the property line, which is non-conforming according to zoning regulations – which requires a 10 foot set-back. Our application is based on Section 9172.22 D.1., which provides that:

After the hearing, the Commission shall, by resolution, render its decision to approve or disapprove a Variance. A Variance from the terms of this Chapter shall be granted when, because of special circumstances applicable to the property. Including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. (California Government Code Section 65906). In making its decision, the Commission shall adopt written findings with respect to this requirement.

Also attached please find photographs of the non-conforming wall as well as photographs of an identical non-conforming neighboring wall. Both walls are set-back 2 feet from the property line. This is a relatively simple application of the Variance provisions of the California Government Code. Other properties in the area enjoy the privilege of having a wall within the 10 foot zoning set-back requirement - and it would not be fair to apply that zoning regulation to this property.

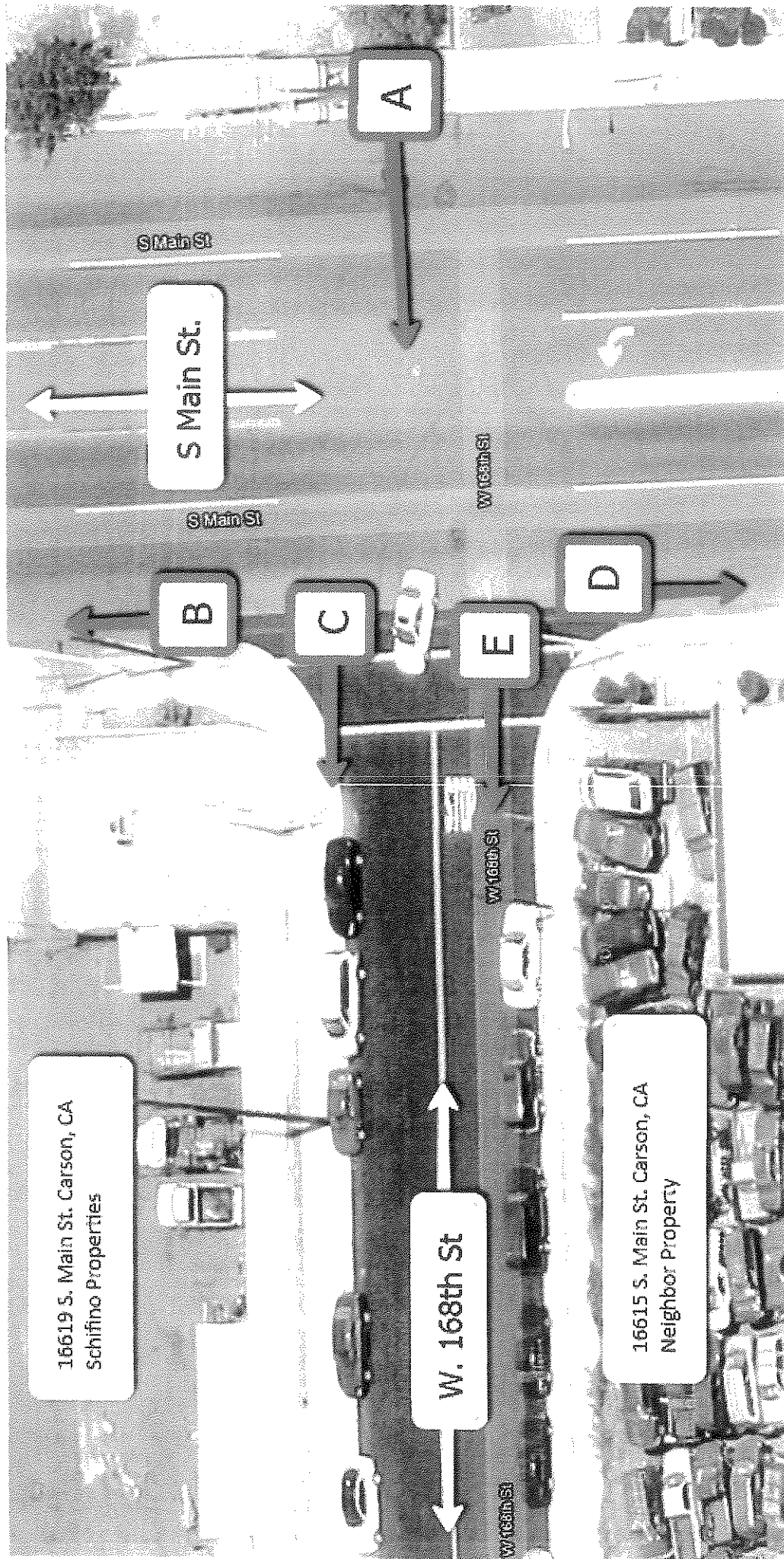
Thank you for your assistance in this matter.

Regards,

Paul Schifano, President
Encl

EXHIBIT NO. 3 -





16619 S. Main St. Carson, CA
Schifino Properties

W. 168th St

16615 S. Main St. Carson, CA
Neighbor Property

A

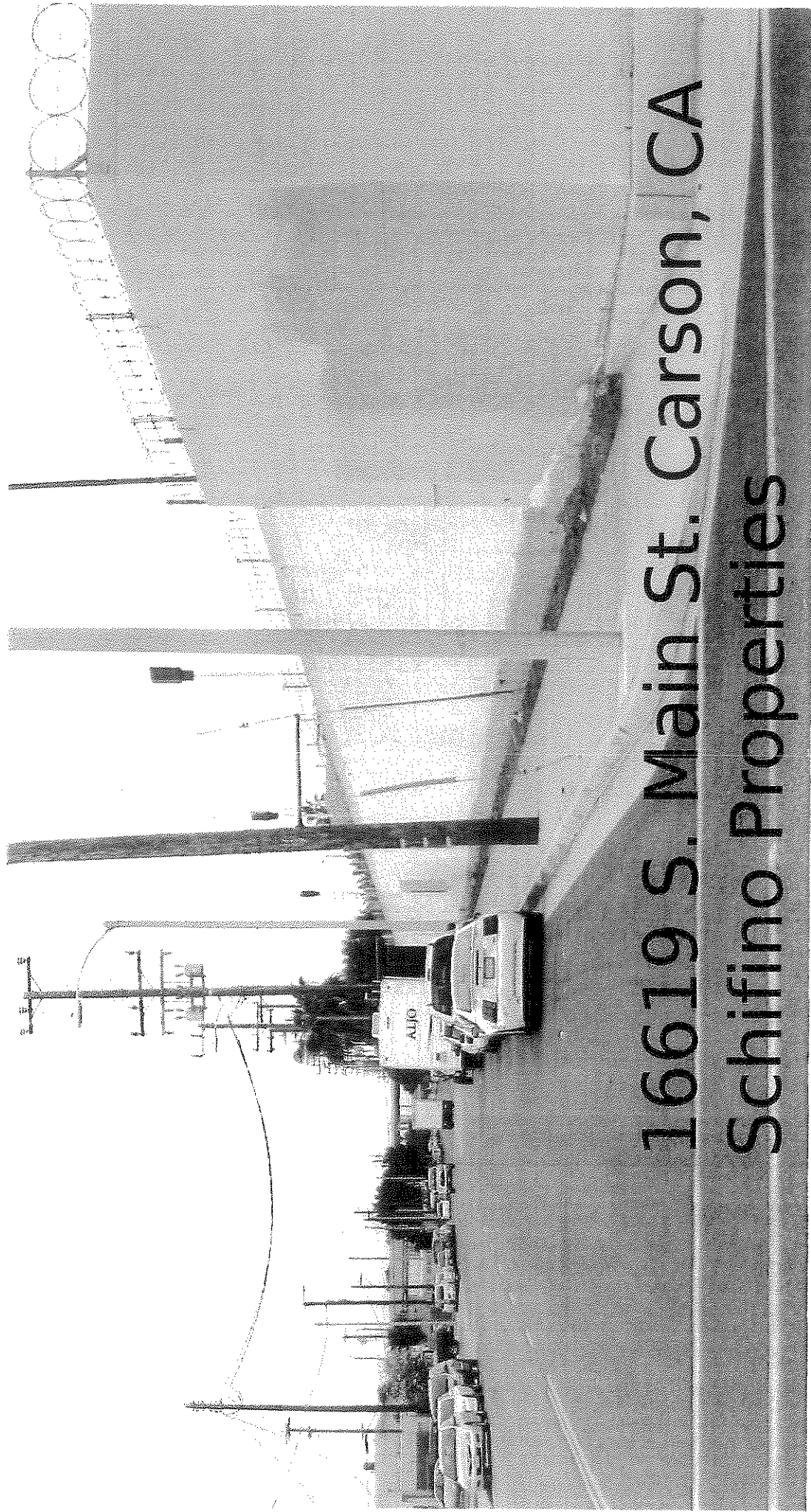


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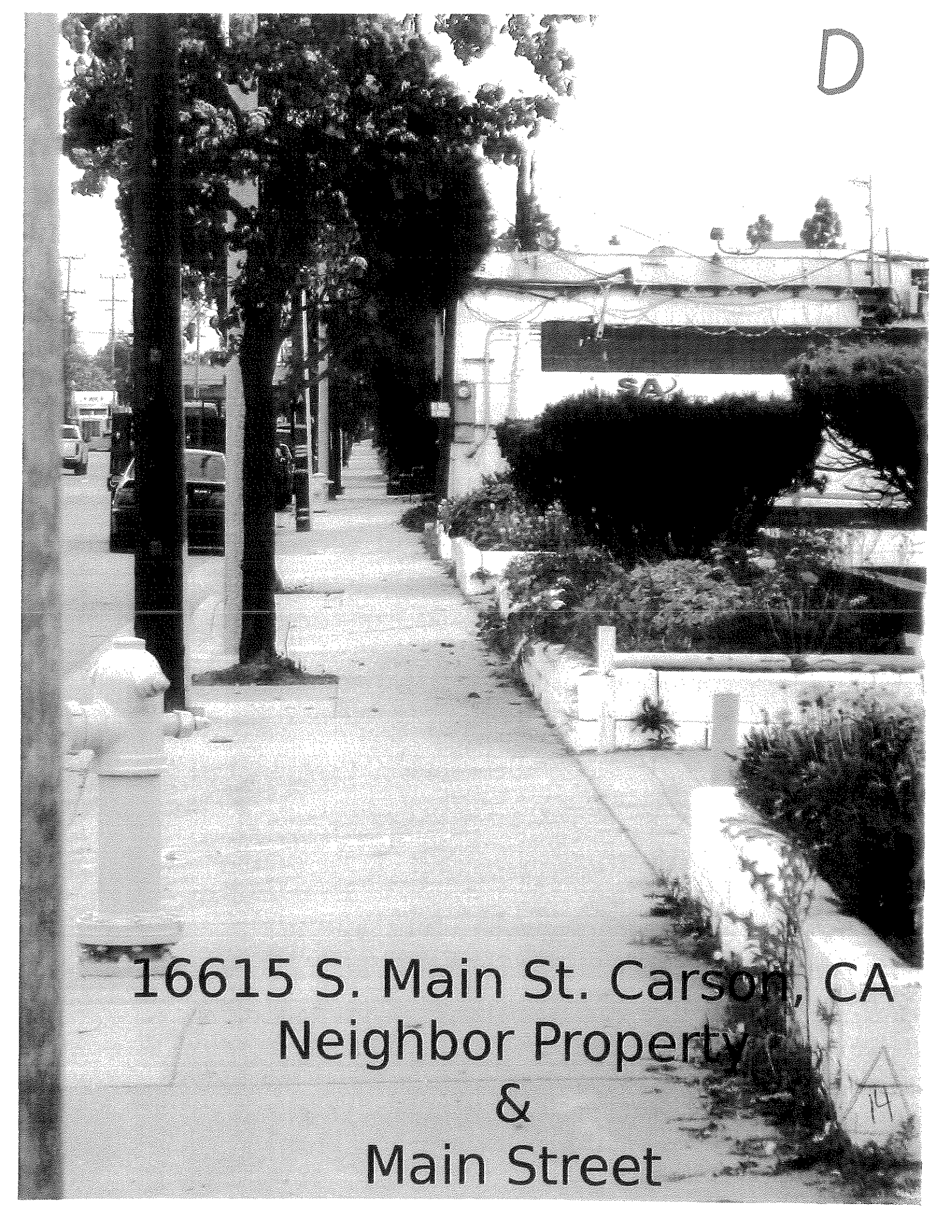
16619 S. Main St. Carson, CA
Schifino Properties
&
Main Street

12

C

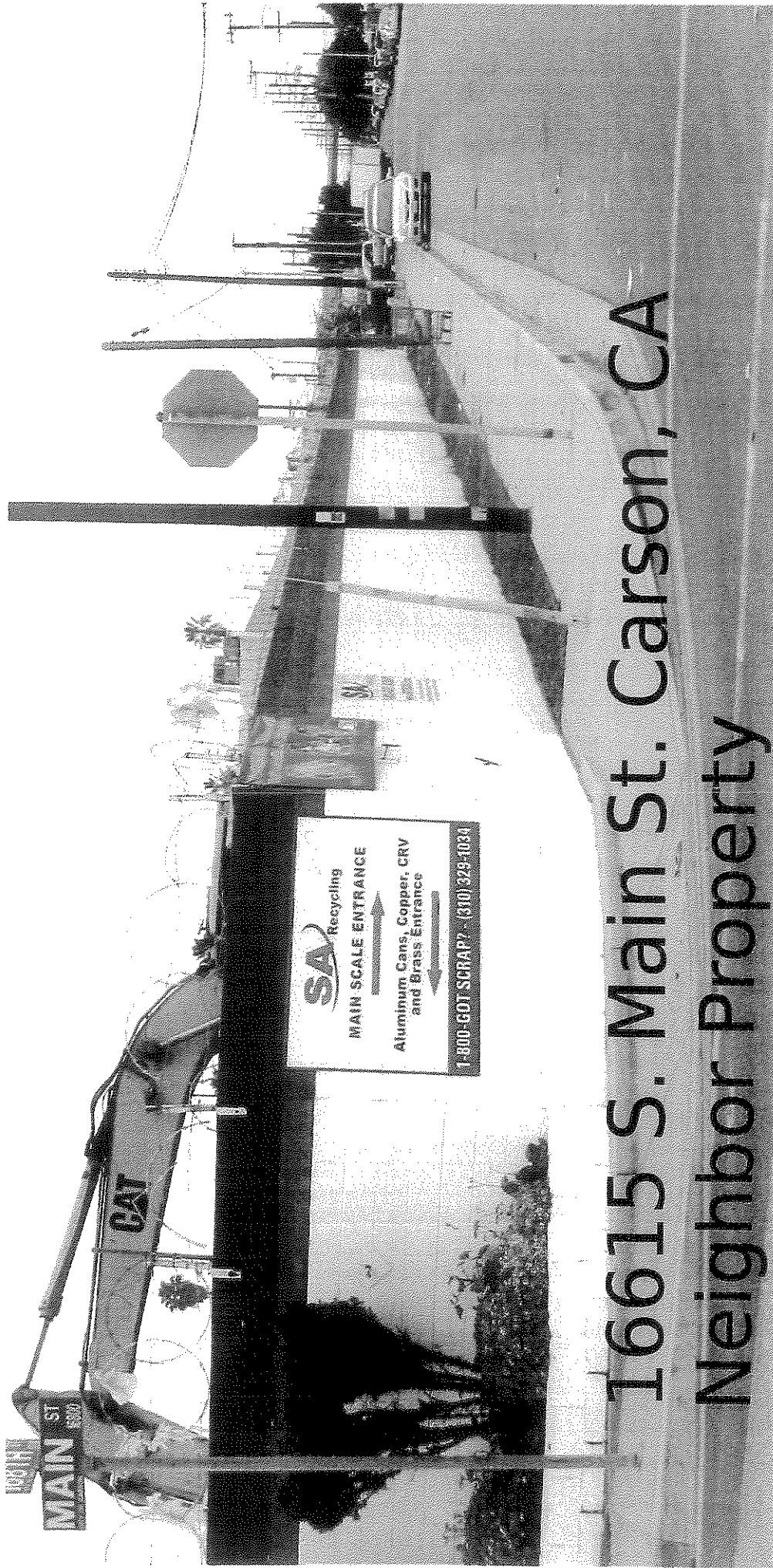


D



16615 S. Main St. Carson, CA
Neighbor Property
&
Main Street

E



16615 S. Main St. Carson, CA
Neighbor Property

15



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 30, 2001
SUBJECT: Design Overlay Review No 733-00
APPLICANT: Schifino Properties, Inc.
137 West 168th Street
Gardena, California 90248
REQUEST: Site plan, elevations, materials and concept landscaping plan for a new 14,755 square-foot open metal storage shed; refurbishment of the perimeter wall and an existing 712 square-foot building. The property is located within both the MH (Manufacturing, Heavy) zone and Redevelopment Project Area No. 1
PROPERTY INVOLVED: 16619 Main Street (just north of 168th Street)

COMMISSION ACTION

____ Concurred with staff
____ Did not concur with staff
____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Madrigal – Chairman			Faletogo
		Cannon – Vice-Chairman			Park
		Asis			Post
		Boggs			Saenz
		Brown			

EXHIBIT NO. 4

16

I. Introduction

The applicant, Schifino Properties, Inc., is requesting approval of a site plan, elevations, materials, and a concept landscaping plan for the construction of a 14,755 square-foot open metal storage shed (with an overhead crane) to be used by Anvil Steel. Auxiliary project components include refurbishment of an existing 712 square-foot office (circa 1940) for use as storage; establishment of a fenced outdoor storage pen; and refurbishment of the perimeter wall and landscaping. The proposed development represents an expansion of Anvil Steel's physical plant from the abutting property at 137 West 168th Street. The 0.68-acre site is zoned MH (Manufacturing, Heavy) and is also located within Redevelopment Project Area No. 1 (EXHIBIT 1).

II. Background

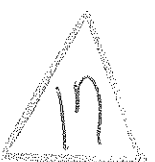
Anvil Steel and its predecessor company, Anvil Iron, have been located on 168th Street since approximately 1963. The company fabricates structural steel components. Due to a shift in business focus, the company is establishing greater storage capacity at its plant. The increased storage will enable it to store both more raw stock and finished product and will reduce shipping and delivery costs. Only a nominal increase in production activity is likely to result. The expansion of Anvil Steel's physical plant will occur on the subject vacant parcel originally used as an automobile dismantling yard, and more recently, as an auto repair facility.

The applicant has been in discussions with Carson Redevelopment staff over the course of the last approximately eight months concerning acquisition of the abutting Prime Environmental property at 16629 Main Street for possible future expansion of Anvil Steel (16629 Main Street is just south of the subject property, and located at the northwest corner of Main and 168th Street). Redevelopment staff is currently considering the applicant's request for financial assistance in acquiring this property. If acquisition of the Prime Environmental property is successful, Schifino Properties, Inc. would control three abutting parcels: 137 West 168th Street, 16619 and 16629 Main Street. Such lot consolidation would further redevelopment goals for the district by forming a larger site with improved development possibilities. In the event the applicant proceeds with acquisition and consolidation of the three lots, a more far-reaching development of the properties would follow at a later date through which the City could work with the applicant to abate all substandard features and further enhance design quality.

III. Analysis

Parking: Based on the square-footage of existing and proposed structures, 27 parking spaces are required: 28 parking spaces have been provided. Minimal actual use will be made of this parking based on the number of employees.

Circulation: The applicant envisions a single-directional circulation pattern wherein trucks delivering raw steel or picking up finished product will travel through the property without



need to back up or turn around to exit. All parking spaces are provided with sufficient maneuvering.

Overall Design Features: The proposed development is straight-forward, and will consist essentially of construction of an open shed to house an overhead crane, and refurbishment of the wall and small building located along Main Street. The shed would be approximately 31 feet tall. Because of this height, the top half of the structure will be seen from Main Street. The applicant will screen the upper portion of the structure with a corrugated metal cladding material. The structure would cover an area equivalent to approximately 37% of the total lot area, and would be set back 3 feet from the north property line, and 4 feet from the west lot line.

To provide design linkage with the front perimeter wall, an entrance canopy over the driveway gate entrance is proposed. This canopy would have roofing matching the roofing cladding on the shed, and would extend from the gate to the shed's front (east) face. As proposed, the upper portions and trim of the shed and canopy will be a medium green. Building and perimeter walls would be a light beige with a light terra cotta accent along the lower portions.

The perimeter wall would be enhanced through the addition of a three-foot tall wainscot band across its base as well as the base of the building, and through addition of a two-foot tall slate tile band along the uppermost portion of the wall. Security-related tube steel pickets are also proposed along the top of the wall. The same banded treatment proposed for the perimeter wall would be continued across the walls of the adjoining office building. To simplify the design staff recommends that the slate tile band (proposed along the upper walls) be deleted, and that the tube steel pickets be deleted. A decorative cornice on the building and tile cap along the top of the wall would be more compatible with newer development in the industrial area. Accordingly, conditions have been included requiring that the proposed tile band and steel pickets be deleted.

Landscaping: The existing plantings along the Main Street side of the property are rather unsightly, and the planting area is too small to accommodate large trees. The applicant proposes widening the planter to ten feet for the installation of five 36-inch box trees, shrubbery and groundcover to provide a better buffer from Main Street. A condition has been included requiring that landscaping and irrigation plans be submitted at a later date for staff review and approval. Staff further recommends that water-efficient shrubbery, vines, groundcover and trees be included in the plans.

National Pollution Discharge Elimination System (NPDES): Approval of the project has been conditioned upon full compliance with NPDES.



In order to approve a project, the Planning Commission is required to make affirmative findings with respect to the following criteria contained in Section 9172.23 of the Municipal Code.

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

The subject property is located in Redevelopment Project Area No. 1, and carries a zoning designation of MH (Manufacturing, Heavy) and a Heavy Industrial designation in the Carson General Plan. The proposed development is, thus, in conformance with both the zoning and the General Plan designations.

2. Compatibility of design with existing and anticipated development in the vicinity with reference to site planning, land coverage, landscaping, scale and open space.

The proposed project is a positive step in improving the current blighted condition of the property, and is commensurate with the value of the principal improvement: construction of an open shed. The existing small building is considered to be legal, nonconforming related to the front yard setback. Typically, a 25 foot setback is required. While all other components of the development are set back more than the required 25 feet, the subject building is approximately 4 feet from the property line. The applicant has requested to retain this structure in order to minimize costs. The applicant has agreed to increase the landscape setback to meet the minimum 10-foot width and rehabilitate the building and perimeter walls. The overall improvements will significantly upgrade the subject property.

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

Circulation has been accommodated in the site plan, parking and truck circulation routes proposed, and has received the approval of the City's Traffic Engineer. Visitor and disabled parking is at the front of the property, outside the perimeter wall from the operations yard. Employee parking (within the operations yard) exceeds the number of spaces called for in Section 9162.21 of the Municipal Code and provides for necessary truck access.

IV. Environmental Review

An initial study was prepared for this project in accordance with the California Environmental Quality Act (CEQA)(EXHIBIT 2). Staff has reviewed the potential environmental impacts associated with the proposed project and has prepared a Negative Declaration pursuant to Section 15071 of CEQA.

V. Conclusion



With those conditions of approval delineated in the staff report and attached to the proposed resolution (EXHIBIT 3), the proposed project conforms to the site plan and design review requirements of Section 9172.23.

VI. Recommendation

That the Planning Commission:

- **ADOPT** the Negative Declaration, and;
- **RECOMMEND APPROVAL** of Design Overlay Review No. 733-00 subject to the conditions attached as Exhibit "B" of the Resolution (EXHIBIT 3), and;
- **WAIVE** further reading and **ADOPT** Resolution No. 2001-_____, entitled: "A Resolution of the City of Carson Planning Commission Recommending Approval of Design Overlay Review No. 733-00 to the Carson Redevelopment Agency."

VII. Exhibits

1. Land Use Map
2. Initial Study
3. Proposed Resolution

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CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING
APPROVAL TO THE CARSON REDEVELOPMENT AGENCY
OF DESIGN OVERLAY REVIEW NO. 733-00**

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

Section 1. An application was duly filed by the applicant, Schifino Properties, Inc., with respect to real property located at 16619 S. Main Street, and described in Exhibit "A" attached hereto, requesting the approval of a site plan, elevations, materials, colors and landscape approval for the construction of a new 14,755 square-foot open metal storage shed; refurbishment of the perimeter wall and an existing 712 square-foot building. The subject 0.68-acre property is zoned MH (Manufacturing, Heavy) and is located within Redevelopment Project Area No. 1.

A public hearing was duly held on January 30, 2001 at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The proposed project is a positive step in improving the current blighted condition of the property, and will significantly improve its appearance by refurbishing a legal non-conforming structure, perimeter wall, and adding trees and other landscape features. The scope of the improvement project is commensurate with the value of the principal improvement: construction of an open storage shed.
- b) Implementation of the proposed refurbishment plan is appropriate to its MH (Manufacturing, Heavy) zoning and Heavy Industrial General Plan designations.
- c) Circulation has been appropriately accommodated in the site plan, parking and truck circulation routes proposed, and has received the approval of the City Traffic Engineer.
- d) The project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and therefore a De Minimis Impact Finding is made relative to AB 3158, Chapter 1706, Statutes of 1990.

Section 4. The Planning Commission further finds that the use permitted by the proposed Design Overlay Review will not have a significant effect on the environment as indicated in the Initial Study and Negative Declaration prepared for this project. The proposed use will not adversely impact its predominantly industrial setting, and meets or exceeds all City standards for protection of the environment.

Section 5. Based on the aforementioned findings, the Commission hereby recommends approval to the Carson Redevelopment Agency with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and adopts the Negative Declaration.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 30th DAY OF JANUARY, 2001.

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
EXHIBIT "B"
DESIGN OVERLAY REVIEW NO. 733-00

GENERAL CONDITIONS

1. If Design Overlay Review No. 733-00 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 applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. 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.
5. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, the permit shall lapse, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
6. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
7. 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.
8. Within forty-eight hours of approval of the subject project, the applicant shall deliver to the Planning Division a cashier's check or money order payable to the County Clerk in the amount of \$25.00 (twenty-five dollars) pursuant to AB 3185, Chapter 1706, Statutes of 1990, to enable the city to file the Notice of Determination required under Public Resources Code Section 21152 and 14 California. Code of Regulations 15075. If within such forty-eight hour period the applicant has not delivered to the Planning Division the

Resolution No. 01-08



above-noted cashier's check or money order, the approval for the project granted herein may be considered automatically null and void.

9. In addition, should the Department of Fish and Game reject the Certificate of Fee Exemption filed with the Notice of Determination and require payment of fees, the applicant shall deliver to the Planning Division, within forty-eight hours of notification, a cashier's check or money order payable to the County Clerk in the amount of \$1,250 (one thousand two hundred fifty dollars) pursuant to AB 3158, Chapter 1706, Statutes of 1990. If this fee is imposed, the subject project shall not be operative, vested or final unless and until the fee is paid.
10. 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.
11. 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.

PARKING

12. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
13. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
14. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
15. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
16. 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.
17. Compact spaces shall be properly designated pursuant to Section 9126.43 of the Zoning Ordinance.
18. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.



19. Other _____

LANDSCAPING/IRRIGATION

20. 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.
21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
22. 6" x 6" concrete curbs are required around all landscaped planter areas.
23. 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.
24. 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 landscaping (with thorns) on trellising above perimeter walls in lieu of steel pickets;
 - b. Mounded water-efficient landscaping along Main Street to a maximum height of thirty-six inches;
 - c. A minimum of five thirty-six-inch box specimen trees along Main Street.
 - d. Annual flowers wherever possible; and
 - e. Irrigation system designed to commercial grade standards.

GRAFFITI LANDSCAPING

25. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Manager, to graffiti.

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).



AESTHETICS

29. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Manager.
30. A color and materials board specifying all colors and materials used on the building exteriors must be submitted for Planning Division for review and approval prior to the issuance of any building permits. Selected colors should be compatible with those used at adjoining properties.
31. Graffiti shall be removed from all project areas within 15 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.).
32. The slate tile band proposed along the upper portion of the perimeter wall, and the tube steel pickets, shall be deleted, with the option of substituting a metal trellis or similar decorative framework for vines with thorns (e.g., bouganvillea). If vines are to be added to the plans shall be revised to show the same (including addition of a planter along the base of the perimeter wall).

SIGNS

33. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.
34. All permitted business signs must be in compliance with the provisions of Section 9146.7 of the Zoning Ordinance.

FENCES/WALLS

35. Perimeter walls shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Manager.
36. 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.

LIGHTING

37. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.
38. Low level exterior lights shall be installed throughout the site along all walkways. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Manager.

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TRUCK LOADING AND MANEUVERING



39. All truck loading areas shall be properly marked according to Section 9162.66 of the Zoning Ordinance.
40. All truck loading facilities, maneuvering areas and parking and stacking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

BUILDING AND SAFETY

41. Due to its location within 2000 feet of a site with leaking underground storage tanks that may have contaminated the soil at the subject property, a soil study and building protection plan (if indicated by the study) prepared by a licensed Civil Engineer will be required prior to the issuance of building permits.
42. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

TRASH

43. The trash enclosure(s) shall be located on a four-inch concrete pad and screened by a six foot-high concrete block masonry walls, and shall include a pedestrian access door. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

44. 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. Any fire hydrants required by the Fire Department shall be installed, tested and accepted prior to construction.
45. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
46. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
47. Vehicular access must be provided and maintained serviceable throughout construction.
48. Driveway shall be labeled "FIRE LANE/NO PARKING."

PUBLIC SAFETY - CITY OF CARSON

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.

Resolution No. 01-08

Page 9 of 9

51. The window and door on the front wall (facing Main Street) of the existing office shall be removed.



ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

52. The developer shall supply documentation supporting the appropriateness of the quantity and dimensions of the parking shown on the plans.
53. Remove and replace the two existing pear trees on Main Street, complying with City of Carson Standard Drawing Nos. 132, 134 and 134A for root barrier installation and tree planting. Carson Public Works-Street Division will advise you on the appropriate species to be planted as a replacement to the existing pear trees.
54. The preparation of a drainage/grading plan for approval by the Los Angeles County Department of Public Works is required.
55. Construction of any parkway drains or similar devices is required by the draining/grading plan prior to issuance of a building permit. Any improvement damaged during construction shall be removed and reconstructed per the City Standard plan to the satisfaction of the City Engineer.
56. Remove and replace damaged/raised sidewalk on Main Street per City Standard Drawing Numbers 117 and 118.
57. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.
58. Prior to issuance of a Building Permit, the following must be on file:
 - a. Drainage/grading plan as approved by the Los Angeles County Department of Public Works.
 - b. A construction bond as required for all work to be done in the public right-of-way.
 - c. Proof of Worker's Compensation and liability insurance.



- **RECOMMEND APPROVAL** to the Redevelopment Agency of the modification of Design Overlay Review No. 676-98, subject to the Conditions (if approved) attached as Exhibit B; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A Resolution of the Planning Commission of the city of Carson Recommending Approval of the Modification of Design Overlay Review No. 676-98 to the Redevelopment Agency."

Because there is an increasing number of similar applications coming before the City, Vice-Chairman Cannon requested that the Planning Commission take a closer look at the guidelines governing future wireless telecommunication facilities.

Expressing his concern with the increasing number of wireless telecommunication sites in Carson, Chairman Madrigal requested that staff look at how other cities are handling the placement of these monopoles.

Chairman Madrigal opened the public hearing in regard to this matter.

Larry Miner, 1817 Oak Street, Santa Monica, representing Sprint PCS Wireless Telecommunications, explained that this unicell site is a facility where the antennas are directly mounted onto the antenna pole with no projecting arms; that this site was selected to satisfy capacity and coverage needs for this area; and stated that all wireless telecommunication sites are mandated by the FCC to not interfere with the operations of any other businesses or residential neighborhoods in the area.

Responding to Commissioner Brown's inquiry, Mr. Miner explained that on-site maintenance of these unmanned facilities is usually conducted on a monthly basis.

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

Planning Commission Decision:

Commissioner Faletogo moved, seconded by Commissioner Saenz, to concur with staff's recommendation, adopting Resolution No. 01-1838. Motion carried (absent Commissioners Asis and Post).

The Planning Commission clarified for staff that its motion is to approve the monopole that is not camouflaged to look like a tree.

JM

11. PUBLIC HEARING

B) Design Overlay Review No. 733-00

Applicant's Request:

The Applicant, Schifino Properties, Inc., is requesting a site plan, elevations, materials and concept landscaping plan for a new 14,755-square-foot open metal storage shed, refurbishment of the perimeter wall and an existing 712-square-foot building. The



property is located within both the MH (Manufacturing, Heavy) zone and Redevelopment Project Area No. 1 and located at 16619 Main Street (just north of 168th Street).

Staff's Report:

Associate Planner Anderson reviewed staff report (of record) related to this matter.

Staff's Recommendation:

That the Planning Commission:

- **ADOPT** the Negative Declaration;
- **RECOMMEND APPROVAL** of Design Overlay Review No. 733-00, subject to the Conditions attached as Exhibit B of the Resolution (Exhibit 3); and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A Resolution of the city of Carson Planning Commission recommending approval of Design Overlay Review No. 733-00 to the Carson Redevelopment Agency."

Chairman Madrigal opened the public hearing in regard to this matter.

Paul Schifino, 137 West 168th Street, Gardena, principal of Anvil Steel, stated that he concurs with the Conditions of Approval.

Commissioner Saenz commended the Applicant for improving the aesthetics in this area.

Mr. Schifino explained for Vice-Chairman Cannon that this proposal will reduce the number of truck trips generated on site each day, noting that 7 or 8 truck trips are currently generated to and from this property on a daily basis.

There being no further input, Chairman Madrigal closed the public hearing in regard to this matter.

Planning Commission Decision:

Vice-Chairman Cannon moved, seconded by Commissioner Faletogo, to concur with staff's recommendation.

Commissioner Park requested that graffiti removal be limited to 3 days.

By way of an amended motion, Vice-Chairman Cannon moved, seconded by Commissioner Faletogo, to concur with staff's recommendation; moved to amend the language in Condition of Approval No. 30, that all graffiti shall be removed within 3 days of written notification; and moved to adopt Resolution No. 01-1839. Motion carried (absent Commissioners Asis and Post).



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 14, 2010

SUBJECT: Modification No. 1 to Design Overlay Review No. 733-00

APPLICANT: Paul Collins, Architect
On behalf of Schifino Properties, Inc.
137 West 168th Street
Gardena, CA 90248

REQUEST: To approve a modification to a previously approved development plan for a new 11,784-square-foot open metal storage shed in the MH (Manufacturing, Heavy) zone and Redevelopment Project Area No. 1.

PROPERTY INVOLVED: 16619 and 16629 S. Main 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			Schaefer
		Diaz			Verrett
		Goolsby			

I. Introduction

The applicant, Schifino Properties, Inc. is requesting approval of a proposed modification to a previously approved development plan for a new 11,784-square-foot open metal storage shed located at 16619 and 16629 S. Main Street. The property owner is Schifino Properties, Inc., currently located at 137 West 168th Street, Gardena, CA 90248.

II. Background

The Planning Commission adopted Resolution No. 01-1839 (Exhibit Nos. 2 and 3) on January 30, 2001 recommending approval of Design Overlay Review No. 733-00 to the Redevelopment Agency for the development of a 14,755-square-foot open metal storage shed, refurbishment of an existing metal perimeter wall, and approval of an existing 712-square-foot building used for storage and restrooms. The metal storage canopy was constructed and given final occupancy in 2002. At the same time, work had begun to refurbish the perimeter wall and rehabilitate the existing 712-square-foot building. However, the building permits for such construction expired in 2003 and much of the required improvements apart from the metal canopy storage shed and related parking and landscaping along Main Street has not been completed to date. In August 2010, the applicant submitted an application for a new 11,784-square-foot storage shed canopy to be constructed adjacent to the existing canopy and to complete the unfinished work. Thus, the request to modify the existing design review permit.

III. Analysis

The subject property is located within Redevelopment Project Area No. 1. Pursuant to Redevelopment Agency Resolution No. 98-044, development within Redevelopment Project Area No. 1 is subject to site plan and design review per Section 9172.23 of the Carson Municipal Code (CMC). The Redevelopment Agency adopted Resolution No. 01-08 by unanimous consent on February 20, 2001 approving Design Overlay Review No. 733-00. Condition of Approval No. 3 contained in Exhibit "B" of the resolution states that "substantial revisions [to the approved site plan] will require review and approval by the Planning Commission."

Modification No. 1 to Design Overlay Review No. 733-00

The revised site plan has been modified to include an additional canopy identical in size and shape to the one approved in 2001. Additional revisions to the approved site plan were required to mitigate the following issues of concern that have been ongoing since the original construction and additional issues identified in the review of the current application:

Issue - Existing Drafting Room ("Detailing Office"): The existing 1,172-square-foot building located on the southeast corner of the property is currently used as a drafting room for steel fabrication designers. This building is one-story, 12 feet high, and stuccoed an off-white color. There is a four-foot wide section of landscaping along the eastern side facing Main Street and a small parking area for one handicapped parking space on the northern side. The building was



constructed in 1951, years before Main and 168th Streets were widened to their current states which resulted in non-conforming front and side setbacks for the building. In 2008, Carson Capital Improvement Project No. 877 was completed which improved 584 feet of public right-of-way on 168th Street west of Main Street. As a result of an ADA-compliant wheelchair ramp and sidewalk being constructed adjacent to the southeast corner of the property, the drafting room building's southeast corner now intrudes approximately 4 inches into the public right-of-way. This may have been the result of a technical oversight during the construction phase of the project, but now poses a liability issue for the city which must be addressed at this time.

Mitigation: Staff has drafted a condition of approval, included in Exhibit "B" of the attached resolution which states that the applicant must work with the city engineering division to devise a means of absolving the city of potential liability for the minor encroachment, which could be done through a lot-line adjustment requiring a potential vacation of a tiny amount of city property, or a legal document recorded against the property indemnifying the city of liability.

Issue – Refurbishment of the Existing Perimeter Wall: The existing 10-foot high perimeter wall was used to provide security for and screen visibility of the previous scrap yard use (Prime Environmental) on the property. The wall was required to be refurbished by Condition No. 35 contained in Exhibit "B" of Planning Condition Resolution No. 01-1839. The wall was never fully refurbished and has been neglected in the years since. Furthermore, the wall sits on the property's southern boundary with 168th Street which makes it impossible to provide landscaping pursuant to applicable zoning codes.

Mitigation: Staff has drafted a condition of approval, included in Exhibit "B" of the attached resolution which requires that a new wall be constructed along 168th Street, setback at least 10 feet from the public right-of-way and new landscaping installed in said setback area, subject to review and approval by the Planning Division.

Issue - Existing Storage Container: There is an unpermitted storage container adjacent to the existing 740-square-foot storage building which must be removed prior to the issuance of a building permit.

Mitigation: A condition of approval has been added to address this issue.

Issue – Lot Merger of Contiguous Properties: The subject property consists of two legal parcels composed of 16619 S. Main Street on the north and 16629 S. Main Street on the south. The existing steel canopy is on the north property, and the proposed canopy will be located to the south which will straddle both property lines. As a result, a lot merger is required as the building code prohibits structures from occupying space on more than one legal parcel.

Mitigation: A condition of approval has been added that requires a lot merger to be processed and recorded for the two contiguous lots prior to the issuance of final occupancy for the new canopy structure.

IV. Environmental Review

The proposed modification will not have a significant effect on the environment. Thus the modification is found to be Categorically Exempt, pursuant to California Environmental Quality Act Guidelines, Article 19, Section 15332, In-Fill Development Projects.

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 APPROVING MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 733-00 FOR THE DEVELOPMENT OF A 11,784-SQUARE-FOOT, OPEN METAL STORAGE CANOPY LOCATED AT 16619 AND 16629 S. MAIN STREET."

VI. Exhibits

1. Draft Resolution
2. Planning Commission Staff Report for Design Overlay Review No. 733-00 dated January 30, 2001 (without exhibits)
3. Planning Commission Resolution No. 01-1839 dated January 30, 2001 (without exhibits)
4. Revised Development Plans (under separate cover)

Prepared by: _____
Steven C. Newberg, AICP, Associate Planner

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

Approved by: _____
Sheri Repp, Planning Officer

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CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-2358

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 733-00
FOR THE DEVELOPMENT OF A 11,784-SQUARE-FOOT, OPEN METAL STORAGE
CANOPY LOCATED AT 16619 AND 16629 S. MAIN 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 the applicant, Schifino Properties, Inc., with respect to real property located at 16619 and 16629 S. Main Street, and described in Exhibit "A" attached hereto, requesting approval of Modification No. 1 to Design Overlay Review No. 733-00, approved and adopted by Planning Commission Resolution No. 01-1839 on January 30, 2001, concerning a revised site plan for the development of a proposed new 11,784-square-foot open metal storage shed to be located adjacent to an existing open metal storage shed. The 0.68-acre subject property is zoned MH (Manufacturing, Heavy) and is located within Redevelopment Project Area No. 1.

A public hearing was duly held on December 14, 2010 at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The proposed project is identified in the General Plan as a permitted use for this land use category. This project adheres to the goals and objectives of the Land Use Element of the General Plan by improving the appearance of Carson through new construction and rehabilitation of blighting conditions through mitigation of deferred maintenance. There is no specific plan for this area.
- b) The proposed project meets the goals and objectives of Redevelopment Project Area No. 1 by development and diversifying the economic base, increasing employment opportunities, and eliminating and preventing the spread of blight within the Project Area.
- c) The project has been modified to include the construction of a new 11,784-square-foot metal canopy with related lot improvements for parking, storage, and landscaping.
- d) The new canopy will be painted a green color to match the existing adjacent canopy. Decorative painted metal fascia will complement the building façade. Entrance gates are sliding, wrought-iron, and electronically controlled, two of which are located along 168th Street, and one along Main Street. A ten-foot high, fabricated steel wall, painted to match the new canopy, is proposed along the southern property line. 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 and attractive development.

- e) The applicant proposes 48 vehicular parking spaces, which is sufficient to comply with applicable zoning code requirements for the proposed use.
- f) The main flow of traffic will move through the gates located along 168th Street on the west side of the subject property and will exit the north side of the property southbound onto Main Street. There is adequate truck maneuvering, parking, and loading areas proposed for the project, which have been vetted by the city's Traffic Engineer. Employee and visitor parking spaces will be located along the south property line, providing safe pedestrian access from the parking area to both structures. The site plan depicts safe pedestrian and vehicular circulation onsite, ample and convenient disabled parking, loading/access areas, driveway and parking space widths.
- g) The project conforms to any applicable design standards and guidelines that have been pursuant to Section 9138.14, and adopted pursuant to Section 9172.15 of the Carson Municipal Code.

Section 4. The Planning Commission further finds that the use permitted by the proposed modification will not have a significant effect on the environment and is therefore deemed "Categorically Exempt" pursuant to California Environmental Quality Act Guidelines, Article 19, Section 15332, In-Fill Development Projects.

Section 5. Based on the aforementioned findings, the Commission hereby approves Modification No. 1 to Design Overlay Review No. 733-00 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF DECEMBER, 2010.

CHAIRMAN

ATTEST:

SECRETARY

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CITY OF CARSON
OFFICE OF ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 733-00

GENERAL CONDITIONS

1. All conditions contained in Exhibit "B", of Planning Commission Resolution No. 01-1839 passed and adopted on January 30, 2001, and Redevelopment Project Agency Resolution No. 01-08 adopted on February 20, 2001, shall remain in full force and effect, except as expressly modified by this resolution.
2. If Modification No. 1 to Design Overlay Review No. 733-00 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.
- ~~444.3.~~ The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
- ~~444.4.~~ The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
- ~~444.5.~~ The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
- ~~444.6.~~ The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
- ~~3.7.~~ It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.

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~~4.4.8.~~ Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

~~3.9.~~ A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.

~~4.10.~~ 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 Modification No. 1 to Design Overlay Review No. 733-00. 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

~~4.11.~~ All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

~~4.12.~~ Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.

~~4.13.~~ Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.

~~5.14.~~ 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.

~~5.15.~~ Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.

~~6.16.~~ Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.



LANDSCAPING/IRRIGATION

~~7-17.~~ The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with conceptual landscaping plans dated November 15, 2010, as received by the Planning Department. Such plans are to be approved by the Planning Division prior to the issuance of any building permit. Such landscape plans shall include a ten-foot minimum setback from 168th Street along the southern property line.

~~111-18.~~ The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."

~~8-19.~~ 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.

~~9-20.~~ 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.

UTILITIES

~~111-21.~~ All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.

~~111-22.~~ All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.

~~111-23.~~ All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

~~10-24.~~ The applicant shall consult with Golden State Water Company, 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. To set up new service or for a cost estimate the developer shall contact Mr. Eric Pivaroff at 909-937-0111, ext. 334. Or, at Golden State Water Company, 2143 Convention Center Way, Suite 110, Ontario, CA 91764.

AESTHETICS

~~11-25.~~ The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.



~~111.26.~~ 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.).

28. 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 Planning Division.

SIGNS

29. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.

FENCES/WALLS

30. The existing 10-foot high portion of wall fronting 168th Street along the subject property's southern boundary shall be demolished. A new 10-foot high wall, constructed of materials and colors subject to review and approval by the Planning Division shall be built prior to the issuance of final occupancy for the new canopy structure. Such wall shall be placed beyond the ten-foot minimum landscape setback required pursuant to Condition No. 17 contained in this resolution.
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.

LIGHTING

32. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.
33. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

TRUCK LOADING AND MANEUVERING

34. All truck loading facilities, maneuvering areas and parking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

TRASH

35. The trash enclosure and recycling area shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. A painted metal, self-closing



door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

36. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division

AIR QUALITY

37. Temporary traffic controls (i.e., flag person) shall be provided during all construction phases to maintain traffic flow.
38. Exposed piles (i.e., gravel, sand, and dirt) shall be enclosed, covered, or watered twice daily, or an approved soil binder shall be used.
39. Active grading sites shall be watered at least twice daily.
40. Excavation and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.
41. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
42. Streets shall be swept at the end of the day if visible soil material is carried over to adjacent roads.
43. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto paved roads.
44. Trucks and any equipment leaving the site shall be washed if dirt, sand, soil, or other loose material is visible.
45. Water shall be applied three times daily, or chemical soil stabilizers shall be used according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.
46. Traffic speed limits of 15 miles per hour or less shall be posted and enforced on all unpaved roads.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

47. Provide water mains, fire hydrants, and fire flows (per Water flow form 196) as required by County Forester and Fire Warden for all land shown on the map to be recorded.

~~64.48.~~ Provide Fire Department and City approved street signs and building address numbers prior to occupancy.

~~48.49.~~ Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.



49.50. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

50.51. A minimum, unobstructed width of 28 feet clear to sky, vehicular access to within 150 feet of the exterior walls is required.

54.52. Provide information on revised site plan that shows all existing fire hydrants within 300 feet of all property lines and callout hydrant size and dimension to property lines. This site plan must be reviewed and approved prior to building permit issuance. One architectural set and one extra site plan may be submitted to Area 1 Hawthorne Fire Prevention for life /safety review. 4475 W. El Segundo Blvd FS161, Hawthorne, CA. 90250.

52.53. 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

53.54. 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.

54.55. The proposed project shall meet all requirements of the American Disabilities Act (ADA).

THE GAS COMPANY

55.56. Underground Service Alert (USA) must be notified 48 hours prior to commencing work @ (800) 442-4133 or (800) 227-2600. Please keep us informed of construction schedules, pre-construction meetings, etc., so that we can schedule our work accordingly.

PUBLIC SAFETY - CITY OF CARSON

55.57. 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.

55.58. Ensure compliance with current seismic mitigation codes.

55.59. 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.

55.60. Automobile fluid leakage shall be disposed of properly. Leakage shall be prevented flowing to storm drains and shall be properly treated so that no potential harm to the environment or to persons exists.



ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

~~56-61.~~ The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.

~~57-62.~~ The Developer shall submit a copy of **approved** plans on mylars (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of construction permits.

~~58-63.~~ On-site flatwork (e.g. base, paving, curb and gutters) are subject to inspection by Public Works Inspectors. Permit shall be obtained from City of Carson Engineering Services.

~~59-64.~~ Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.

~~60-65.~~ A construction permit is required for any work to be done in the public right-of-way.

Prior to issuance of Building Permit, the proposed development is subject to the following:

~~61-66.~~ Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a **copy of approved** Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.

~~62-67.~~ The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

~~63-68.~~ Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory, and the applicant must:

- a. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.

~~64-69.~~ The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.

~~65-70.~~ Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity. A lot merger is required for the merger of the contiguous properties described at 16619 and 16629 S. Main

Street, prior to the issuance of a building permit and subject to review and approval by the Engineering Division.

~~66.71.~~ 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. The improvement plans shall include the following:

- a. Street Improvements along Main Street and/or 168th Street.
- b. Sewer Main Improvements (if any) along Main Street and/or 168th Street as determined by the aforementioned sewer area study.
- c. Storm Drain Improvements (if any) along Main Street and/or 168th Street as determined by the aforementioned requirement.

~~67.72.~~ Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to issuance of Building Permit.

~~68.73.~~ Proof of Worker's Compensation and Liability Insurance.

Prior to issuance of Certificate of Occupancy, the proposed development is subject to the following:

~~69.74.~~ 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.

~~70.75.~~ Repair any broken or raised sidewalk, curb and gutter along Main Street and along 168th Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.

~~74.76.~~ The Developer shall fill in any missing sidewalk, remove and replace any broken/damaged driveway approach along Main Street and along 168th Street in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.

~~72.77.~~ Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.

~~73.78.~~ Install irrigation system for the purpose of maintaining the existing parkway trees and parkway trees to be planted along the frontage of the development along Main Street and 168th Street within or abutting this proposed development.

~~74.79.~~ The Developer shall modify existing driveways in the public right of way along Main Street and 168th Street, if required, within or abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.



~~75.80.~~ Install streetlights on concrete poles with underground wiring along 168th Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.

~~76.81.~~ All existing overhead electrical lines less than 16 kilovolts along 168th Street abutting the proposed development shall be undergrounded to the satisfaction of the City Engineer.

~~77.82.~~ All new utility lines, servicing the proposed development abutting the proposed development shall be underground to the satisfaction of the City Engineer.

~~78.83.~~ 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.

a. Comply with mitigation measures recommended by the water purveyor.

~~79.84.~~ The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.

~~80.85.~~ Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)

~~84.86.~~ The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.

~~82.87.~~ 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.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

~~83.88.~~ 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.



approving Conditional Use Permit No. 841-10 to permit the construction of a new bus wash facility (automobile laundry) located at 21222 South Wilmington Avenue." He noted that two Conditions of Approval had been added: 1) Street trees shall be maintained and watered for a minimum of 90 days or until established. If for any reason a street tree dies within the 90 days or is determined to be in poor condition by the City's landscape maintenance superintendent, the applicant shall be responsible in replacing the tree and; 2) Buses may not utilize 213th Street as a route for circulation. 213th Street may only be utilized for access when there is a direct destination (i.e., elementary school) on 213th Street. All buses are restricted to Wilmington Avenue and Carson Street as the primary route for circulation.

Vice-Chairman Park asked how many vehicle trips will take place from this site each day.

Chairman Faletogo opened the public hearing.

Donald Penny, applicant, stated that he concurs with the amended conditions of approval; stated they are proposing to expand the tree wells and add decorative rock; and he explained that there are 84 vehicles in the fleet, but added that only half get washed on the same day; noted that the bus services will determine which direction they go; and that they have a 90-percent capture rate for their reclaimed/recovery system at the wash station.

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

Planning Commission Decision:

Commissioner Schaefer moved, seconded by Chairman Faletogo, to approve the applicant's request; added 1) Street trees shall be maintained and watered for a minimum of 90 days or until established. If for any reason a street tree dies within the 90 days or is determined to be in poor condition by the City's landscape maintenance superintendent, the applicant shall be responsible in replacing the tree and; 2) Buses may not utilize 213th Street as a route for circulation. 213th Street may only be utilized for access when there is a direct destination (i.e., elementary school) on 213th Street. All buses are restricted to Wilmington Avenue and Carson Street as the primary route for circulation; and adopted Resolution No. 10-2357. Motion carried, 8-0 (absent Commissioner Diaz).

12. PUBLIC HEARING

B) Modification No. 1 to Design Overlay Review No. 733-00

Applicant's Request:

The applicant, Schifino Properties, Inc., is requesting to approve a modification to a previously approved development plan for a new 11,784-square-foot open metal storage shed in the MH (Manufacturing, Heavy) zone and Redevelopment Project Area No. 1. The subject property is located at 16619 and 16629 South Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 10-2358, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 1 to Design

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Overlay Review No. 733-00 for the development of a 11,784-square-foot, open metal storage canopy located at 16619 and 16629 South Main Street."

Chairman Faletogo opened the public hearing.

Paul Collins, project architect, noted his concurrence with the conditions of approval.

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

Planning Commission Decision:

Commissioner Gordon moved, seconded by Chairman Faletogo, to approve the applicant's request, thus adopting Resolution No. 10-2358. Motion carried, 8-0 (absent Commissioner Diaz).

13. WRITTEN COMMUNICATIONS None.

14. MANAGER'S REPORT

Senior Planner Signo reminded the Commission that the December 28th Planning Commission meeting has been cancelled. On behalf of staff, he wished everyone a Merry Christmas.

15. COMMISSIONERS' REPORTS

In response to Commissioner Schaefer's inquiry, Senior Planner Signo advised that the RV storage appeal has been continued to the City Council's last January meeting.

Commissioner Gordon wished everyone a merry Christmas and happy New Year; and he thanked the Commission and staff for their hard work.

Commissioner Verrett asked staff to provide an explanation of the legal ramifications to the Harbor Village and Colony Cove appeals. She wished everyone a merry Christmas and happy New Year.

Commissioner Goolsby wished everyone a merry Christmas and happy New Year.

Commissioner Saenz reiterated his request to address a building color ordinance for industrial/commercial businesses. He stated that businesses should be required to erect a business sign for their establishment.

Chairman Faletogo asked staff to include Commissioner Saenz' signage display concern in a workshop format.

Commissioner Brimmer asked staff to explore how the city/community can financially benefit from cell tower facilities; asked for a workshop on the commercial facade program; asked that a tip/terminology sheet/pamphlet be available for business owners on the CUP process and other programs offered to these businesses; asked that each Commissioner be given the courtesy to ask whatever questions they may have during a workshop; and she thanked the Commission and staff for their hard work and wished everyone a merry Christmas and happy New Year.

Vice-Chairman Park wished everyone a safe and prosperous New Year.



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: April 12, 2011

SUBJECT: Extension of Time for Modification No. 2 to Special Use Permit No. 106-74

APPLICANT/OWNER: Colony Cove Properties
c/o James Associates
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262

REQUEST: A one-year time extension for Modification No. 2 to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates).

PROPERTY INVOLVED: 17700 South Avalon Boulevard

COMMISSION ACTION

____ Concurred with staff

Vice-Chairman Park moved, seconded by Chairman Faletogo, to approve the applicant's request.
Motion carried as follows:

AYES: Diaz, Faletogo, Gordon, Park, Saenz, Schaefer, Verrett
NOES: None
RECUSED: Goolsby
ABSENT: Brimmer

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
X		Chairman Faletogo	X		Gordon
X		Vice-Chair Park	X		Saenz
Absent		Brimmer	X		Schaefer
X		Diaz	X		Verrett
Recused		Goolsby			

I. Introduction

The applicant, Colony Cove Properties, is requesting a one-year extension for Modification No. 2 to Special Use Permit No. 106-74, pursuant to Condition No. 1 of Planning Commission Resolution No. 10-2300. The property is located at 17700 South Avalon Boulevard and is zoned RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay).

II. Background

This application represents a second request for a one-year time extension for the same project (Modification No. 2 to SUP No. 106-74). An extension of time for Modification No. 1 to SUP 106-74 was approved by the Planning Commission on April 14, 2009 and expired on March 25, 2010. The applicant and the city were still negotiating terms of the affordable rental agreement at that time, and the applicant sought to extend the permit for a second time.

On April 13, 2010, the Planning Commission considered and approved Modification No. 2 to Special Use Permit No. 106-74, to permit an additional 21 mobile home spaces to the existing 404-unit mobile home park - Colony Cove Mobile Estates. The approval included a requirement (Condition of Approval No. 10 of Resolution No. 10-2300) for an affordable rental agreement for five (5) of the 21 units. The applicant submitted a request for a one-year time extension on February 10, 2011 to continue work on the affordable rental agreement. To date, certain issues related to this agreement have not been resolved.

III. Recommendation

That the Planning Commission:

- **APPROVE** the extension of time for Modification No. 2 to Special Use Permit No. 106-74 until April 13, 2012; and
- **ADOPT** a minute resolution extending the approval to April 13, 2012.

IV. Exhibits

1. Letter from the applicant's attorney requesting an extension of time dated February 9, 2011
2. Planning Commission Resolution No. 10-2300 adopted on April 13, 2010.

Prepared by: _____
Steven C. Newberg, AICP, Associate Planner

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

Approved by: _____
Sheri Repp-Loadsman, Planning Division Manager



7. SWEARING OF WITNESSES

Assistant City Attorney Sultani

8. ORAL COMMUNICATIONS

For items **NOT** on the agenda.
Speakers are limited to three
minutes. None.

9. CONSENT CALENDAR**A) Minutes:** March 10, 2011

MOTION: Chairman Faletogo moved, seconded by Commissioner Saenz, to approve the March 10, 2011, Minutes as presented. Motion carried, 8-0 (Commissioner Brimmer had not yet arrived).

9. CONSENT CALENDAR

**B) Extension of Time for Modification No. 2 to Special
Use Permit No. 106-74**

Applicant's Request:

The applicant, Colony Cove Properties, is requesting a one-year time extension for Modification No. 2 to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates). The subject property is located at 17700 South Avalon Boulevard.

Staff Recommendation:

APPROVE the extension of time for Modification No. 2 to Special Use Permit No. 106-74 until April 13, 2012; and ADOPT a minute resolution extending the approval to April 13, 2012.

Planning Commission Decision:

Vice-Chairman Park moved, seconded by Chairman Faletogo, to approve the applicant's request. Motion carried as follows:

AYES: Diaz, Faletogo, Gordon, Park, Saenz, Schaefer, Verrett
NOES: None
RECUSED: Goolsby
ABSENT: Brimmer

9. CONSENT CALENDAR

C) Modification No. 2 to Design Overlay Review No. 733-00

Applicant's Request:

The applicant, Paul Collins, is requesting modifications to conditions of approval of Planning Commission Resolution No. 10-2358 approving Modification No. 1 to Design Overlay Review No. 733-00. The subject property is located at 16619 and 16629 South Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE Modification No. 2 to Design Overlay Review No. 733-00; and ADOPT Resolution No. 11- 2384, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 2 to Design Overlay Review No. 733-00 to modify conditions adopted by Planning Commission Resolution No. 10-2358 for the property located at 16619 and 16629 South Main Street."

Paul Schifino, applicant, stated that due to the economy, he has laid off half his workforce, noting he had 200 employees in 2008; advised that business is still slowing down; explained that this project is necessary to keep his current employees working fulltime; and noted that the proposed building is basically a large tool shed. He stated that staff's recommendation for the following three conditions are excessive for this minor project: \$90,000 for undergrounding offsite electrical, trash enclosure, and planting of trees on Main Street, reiterating that he is only building this "glorified tool shed" to create more work for his current employees and that those three recommendations are excessive and not necessary and have nothing to do with this project. He stated that this is not the type of project that should require in-lieu fees for offsite improvements and that it will likely put an end to this proposal if those fees are imposed.

Planning Officer Repp stated that staff is sympathetic to the cost of the offsite improvements but explained that it is a policy decision that has been imposed on other applicants; and noted that there has been no recent situation where this requirement has been waived.

Mr. Schifino explained that this building is only being built to keep his employees busy and that there will be no income generated from this building.

Paul Collins, project architect, stated that with all the recommended improvements being imposed by staff, the cost will be close to going over 50 percent of what it will cost to construct this building.

Commissioner Goolsby pointed out these are difficult economic times and that the City should be doing all it can, when possible, to help businesses stay open.

Vice-Chairman Park noted his support for deleting Condition No. 80, stating that the applicant has indicated an interest in erecting a new building in the future when the economy improves and that this fee can be applied at that time.

Chairman Faletogo applauded the efforts of this applicant to keep his employees working.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Saenz, to approve the applicant's request, deleting Condition No. 80, ~~"Existing overhead utility lines less than 12 kilovolts along Main Street shall be underground to the satisfaction of the City Engineer. No undergrounding is required along 168th Street. The City will consider and accept an in-lieu fee in an amount determined by the City Engineer to be sufficient~~



to cover the costs of such undergrounding. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for determination of applicability; and moved to adopt Resolution No. 11-2384. Motion carried, 9-0.

10. CONTINUED PUBLIC HEARING None.

11. PUBLIC HEARING

A) Conditional Use Permit No. 860-11

Applicant's Request:

The applicant, Andres Mondragon, is requesting the approval of a Conditional Use Permit for a second dwelling unit located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2730 East Jackson Street.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to APPROVE Conditional Use Permit No. 860-11 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 11-2385, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 860-11 for an existing second dwelling unit located at 2730 East Jackson Street."

Vice-Chairman Park noted his concern with the congested traffic circulation in this area and stated that their investment should have been amortized by now; and added that this proposal does not meet the City's ordinance.

Senior Planner Signo noted that the Planning Commission can allow the legal, nonconformities with this CUP process.

Chairman Faletogo opened the public hearing.

Andres Mondragon, applicant's representative, noted his concurrence with the conditions of approval. He stated that the traffic is heavy only when the parents are picking up or dropping off their kids at school. He noted for Chairman Faletogo that his cars are typically parked on the long driveway.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 11-2385. Motion carried as follows:

AYES: Brimmer, Faletogo, Goolsby, Gordon, Saenz, Schaefer, Verrett
NOES: Diaz, Park
ABSTAIN: None
ABSENT: None

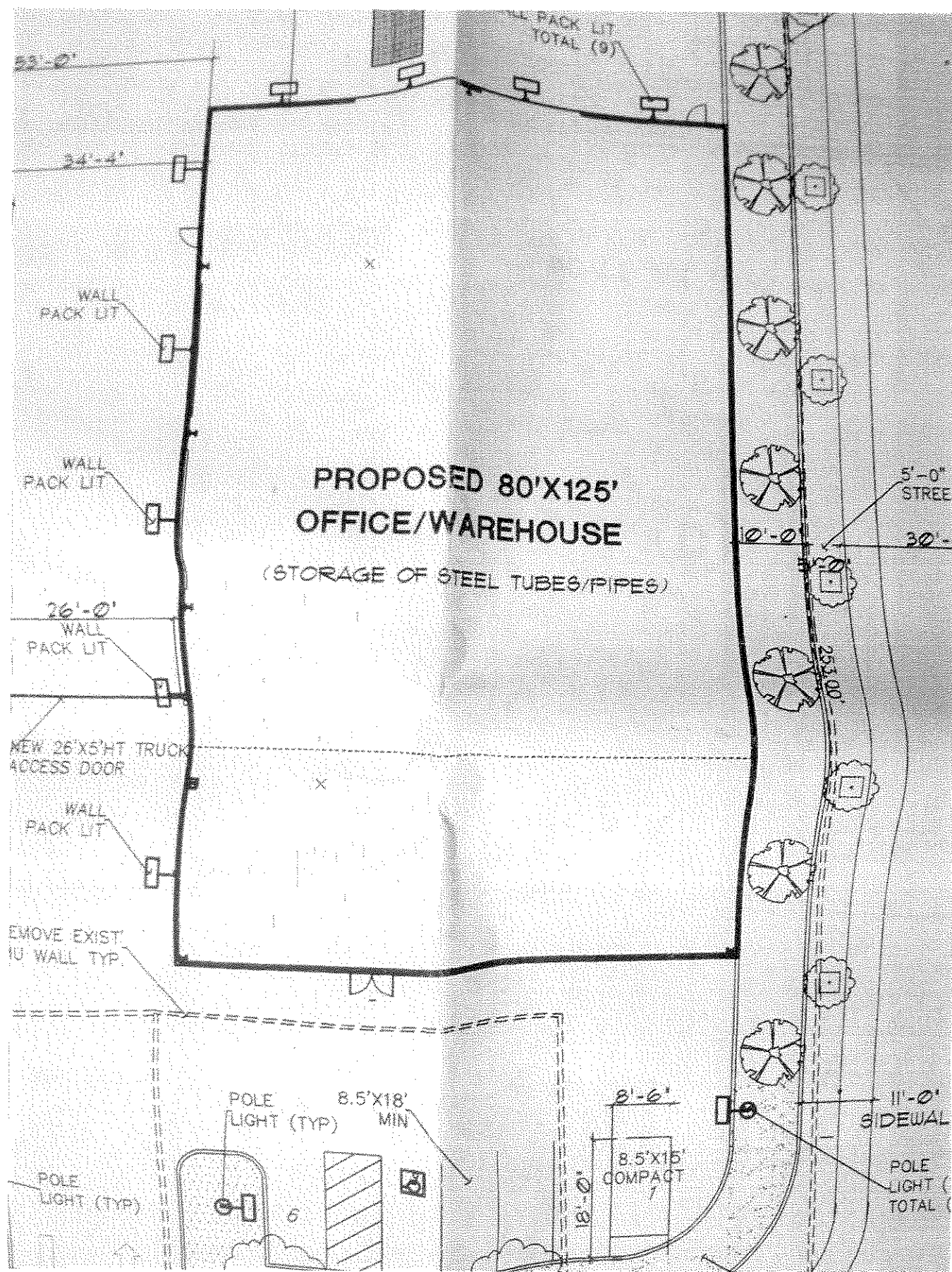


EXHIBIT NO. 88 -

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