



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 24, 2012

SUBJECT: Conditional Use Permit No. 905-12

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

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

REQUEST: To permit beer and wine sales at an existing convenience/snack store on a site located in the CR-D (Commercial, Regional – Design Overlay) zone

PROPERTY INVOLVED: 655 East Carson Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

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

Item No. 12C

I. **Introduction**

The applicant, Benny Natanzi is requesting approval of Conditional Use Permit No. 905-12 to permit on-site sale of beer and wine at an existing service station (Chevron) with a 726-square-foot snack shop at 655 East Carson Street on the northwest corner of Avalon Boulevard and Carson Street. (Exhibit No. 2).

The subject property is zoned CR-D (Commercial Regional, Design Overlay) and has a General Plan land use designation of Regional Commercial.

II. **Background**

The property site is approximately a half acre and occupied by a service station (Chevron), a 726-square-foot snack shop, and an attached 1,375-square-foot auto repair shop. The auto repair use is located within the existing building, adjacent to the snack shop. On January 25, 2011, the Planning Commission approved Conditional Use Permit No. 848-10, approving the auto repair use. Since then, the applicant has provided site improvements such as additional landscaping, new signage, and façade improvements.

On September 27, 2011, the Planning Commission approved DOR No. 1419-11, approving the sale of diesel fuel.

On June 24, 2012, planning staff approved a 264-square-foot addition to the existing 726 square-foot snack shop as an administrative Design Overlay Review (DOR). An administrative DOR was required for the proposed addition since the total valuation of improvements did not exceed \$50,000.

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

After consulting with the Public Safety division, it was determined that there are no open zoning code enforcement cases at this time.

III. **Analysis**

Conditional Use Permit – Beer and Wine

Pursuant to Section 9172.21, Conditional Use Permit, of the Carson Municipal Code (CMC), the Planning Commission may approve the proposal only if the following findings can be made in the affirmative based on certain criteria. All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit" Approved Findings and Decision, can be made in the affirmative as follows:

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

The proposed project is consistent with the General Plan of the City of Carson in that the subject property is designated for Regional Commercial and zoned CR-D (Commercial, Regional – Design Overlay). Alcoholic beverage sales in



conjunction with a convenience store are permitted with the approval of a conditional use permit.

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

The proposed project meets the City's design and development standards. On June 24, 2012, planning staff approved a 264-square-foot addition to the existing 726-square-foot snack shop as an administrative Design Overlay Review (DOR). An administrative DOR was required for the proposed addition since the total valuation of improvements did not exceed \$50,000. With the approved expansion, the existing convenience area will adequately accommodate the addition of beer and wine sales.

The site requires eleven (11) parking spaces for the service station, auto repair, and expansion. The site meets minimum requirements with twelve (12) parking spaces and has a surplus of one (1) parking space.

The applicant is improving the floor plan and elevations of the existing convenience store by relocating public restrooms, providing additional cooler space, and adding façade improvements.

With the proposed improvements the site and building is adequate in size, shape, topography, location, and utilities to accommodate beer and wine sales.

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

Adequate driveway widths and street access are provided on the site. Per the parking requirements of CMC Section 9162.21, a total of eleven (11) parking spaces are required on-site. The site will be developed with twelve (12) striped parking spaces, therefore will result in a surplus of one (1) space.

The project will not affect or impact the safe circulation of either pedestrians or vehicular traffic. The site provides adequate and safe circulation for pedestrians and vehicles.

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

The site is existing, therefore adequate water supply for fire protection is currently provided by the Los Angeles County Fire Department.

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

With the applicant's proposed improvements, staff believes the project generally meets all applicable design standards and guidelines of the

Municipal Code and is compatible with the existing development. The existing building and use are compatible with the current and intended character of the area.

Los Angeles County Sheriff Department

The Los Angeles County Sheriff Department reviewed the proposal for on-site beer and wine sale at the existing service station and convenience/snack store and is requiring the installation of a 24-hour video monitoring system to deter and minimize burglaries and loitering on the premises.

IV. Environmental Review

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

V. Recommendation

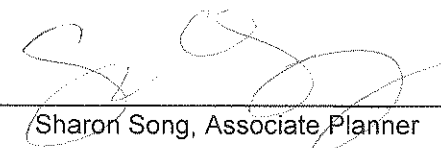
That the Planning Commission:

- APPROVE the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolutions; and
- WAIVE further reading and ADOPT Resolution No. 12-___, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 905-12 FOR BEER AND WINE SALES WITHIN AN EXISTING CONVENIENCE MARKET LOCATED AT 655 EAST CARSON STREET"

VI. Exhibits

1. Draft Resolution
2. Site Map
3. Development Plans (under separate cover)

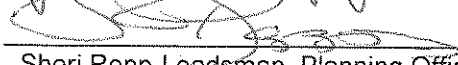
Prepared by: _____


Sharon Song, Associate Planner

Reviewed by: _____


John F. Signo, AICP, Senior Planner

Approved by: _____


Sheri Repp-Loadsman, Planning Officer

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 12-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 905-12 FOR BEER AND WINE SALES WITHIN AN
EXISTING CONVENIENCE MARKET LOCATED AT 655 EAST
CARSON STREET**

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

Section 1. An application was duly filed by the applicant, Benny Natanzi, with respect to real property located at 655 East Carson Street and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 905-12, to permit beer and wine sales within an existing 726-square-foot convenience market with an approved 264-square-foot expansion in the CR-D (Commerical, Regional - Design Overlay) zoning district.

A public hearing was duly held on July 24, 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) The General Plan designates the property for Regional Commercial which is compatible with the proposed use. The proposed use of beer and wine sales within an existing convenient store will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) 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.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The surrounding land uses are primarily commercial uses and the proposed project is compatible with those uses. The site is 22,335 square feet, relatively flat, and is located in a commercial area.
- d) The submitted site plan reflecting existing uses identifies 12 parking spaces and meets and exceeds the requirements of Section 9162.21 of the Carson Municipal Code (CMC). Therefore, circulation and street parking on the adjacent public streets will not be adversely impacted. Safety and convenience of vehicular and pedestrian access is provided.



- f) The Sheriff Department is requiring 24-hour video monitoring cameras be installed on the existing convenience market for the public's safety and to prevent/minimize burglaries and loitering on the site. The Sheriff Department has indicated no problems or concerns for the proposed beer and wine sales at the existing convenience market.
- g) The proposed CUP application for the proposed beer and wine sales at the existing convenience market meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required finding pursuant to Section 9172.21(D), Conditional Use Permit, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed project will not have a significant effect on the environment. The proposed use will not alter the predominantly commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(a) – Existing Facilities (Class 1) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 905-12, 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 24TH DAY OF JULY 2012

CHAIRMAN

ATTEST:

SECRETARY



Exhibit "A"

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

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

APN: 7337-011-038

(End of Legal Description)



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 905-12

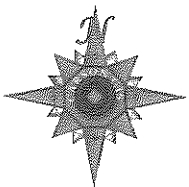
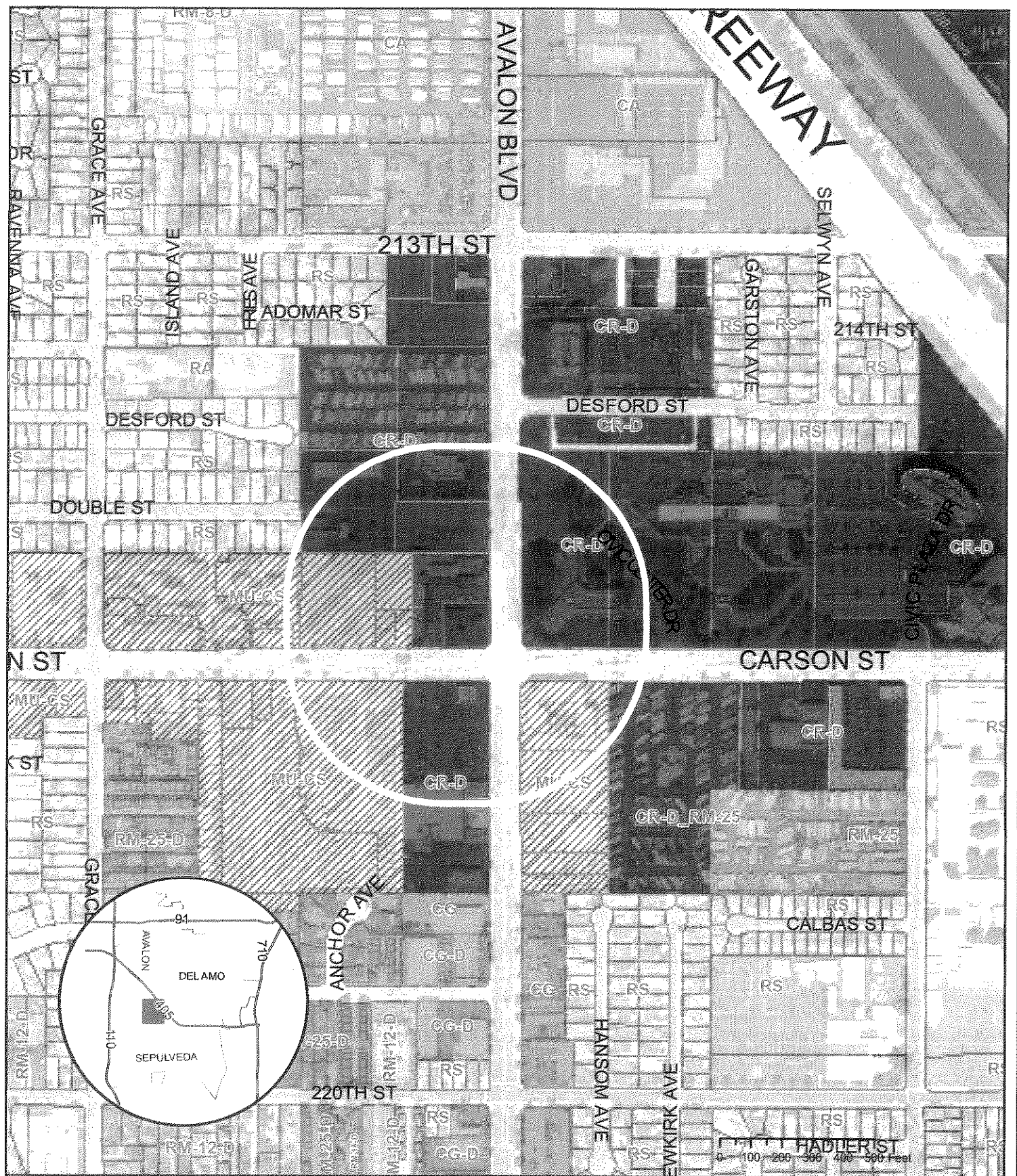
GENERAL CONDITIONS

1. If a building permit or a business license for Conditional Use Permit No. 905-12 is not issued within one year of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings, if applicable.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission 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. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. 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. 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 Conditional Use Permit No. 905-12. 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.
9. The applicant shall install building wall signs stating "no loitering and no drinking alcoholic beverages" in parking lot. Wall signage shall be illuminated to be clearly visible during evening hours.
10. Business signs and sign structures shall be permitted in conformance with development plans 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. The signs shall be designed to match the convenience store building, including color(s), texture(s), and/or finish(es), and shall be subject to Planning Division review and approval prior to the issuance of a building permit for said sign.
11. Advertising signs promoting alcoholic beverage sales that are visible from the public right-of-way are prohibited.
12. Install a 24-hour video monitoring surveillance camera/system to the satisfaction of the Los Angeles County Sheriff's Department.
13. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.





City of Carson
 500 Foot Radius Map
 655 East Carson Street

EXHIBIT NO. 2 -

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