



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:

October 25, 2016

SUBJECT:

Design Overlay Review No. 1605-16
Variance No. 560-16

APPLICANT:

Nery Matus
3125 A1649 West 68th Street
Los Angeles, CA 90047

REQUEST:

To convert a vacant commercial building into a residential single-family dwelling with a new 2-car garage and a variance to reduce the front setback for the garage, located in a RS (Residential, Single-Family) zone

PROPERTY INVOLVED:

21941 South Avalon Boulevard

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Diaz			Mitoma
		Vice-Chair Madrigal			Pimentel
		Andrews			Post
		Fe'esago			Thomas
		Guidry			Cinco/Palmer

Item No. 9C

I. **Introduction**

Applicant

- Nery Matus, 1649 West 68th Street, Los Angeles, CA 90047

Property Owner

- Samuel A and Lucia Corpuz, 2453 West 256th Street, Lomita CA, 90717

Project Address

- 21941 South Avalon Boulevard

Project Description

The applicant requests the approval of a conversion of a 1,144 square foot vacant commercial building into a single-story, single-family dwelling with an attached two-car garage. The lot size is 33 feet by 100 feet and is within the RS (Residential, Single-Family) zone. Pursuant to Section 9121.1 of the Carson Municipal Code (CMC), new single-family dwellings on lots less than 50 feet wide require Site Plan and Design Review. A variance is requested to reduce the front setback for the garage from 25 to 20 feet.

II. **Project Site and Surrounding Land Uses**

The property is located at 21941 South Avalon Boulevard. The following provides a summary of the site information:

Site Information	
General Plan Land Use	Low Density Residential
Zone District	RS (Residential, Single-family)
Site Size	3,235 Square Feet
Present Use and Development	Vacant
Surrounding Uses/Zoning	North: CG-D South: CG-D East: CG-D West: RS

Previously Approved Discretionary Permits

None

Public Safety Issues

None

Analysis

Site Plan

A proposed conversion to a single-family dwelling will have two bedrooms with one bathroom, and one master bedroom with bathroom and closet for a total of 1,144 square feet of floor area. A new two-car garage (360 square feet) is proposed to be located and attached to the front of the house and will be setback 20 feet from the front property line. Trash and recycling containers will be stored in the rear yard. A new driveway apron will be constructed and will provide access to the new two-car garage. The residence will be compatible with other single-story homes in the neighborhood, though the garage is located at the front of property towards the corner of the street with a requested reduced setback through the variance.

Variance

CMC Section 9172.22 states a variance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of this chapter deprive such property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

The proposed project does not conform to the applicable parking front setback requirement for residential uses. CMC requires a parking setback of 25 feet. The new garage is proposed with a 20 foot setback which requires processing of a variance request.

Staff believes that there are special circumstances applicable to the property which warrants approval of the requested variance. The subject property is 3,716 square feet and 33 feet in width. The property is smaller than the minimum lot area (4,000 square feet) and narrower than the minimum lot width for an interior lot (50 feet) or corner lot (55 feet) required in a residential zone. Most of the surrounding properties in the same zoning district are 40 feet wide. The smaller dimensions compared to similarly zoned properties reduces the buildable area for this site; therefore, necessitating a request for variance for the garage setback. Therefore, approval of this request would not constitute a special privilege.

III. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15303(a), conversion of small structure, single-family home in a developed residential neighborhood will not have a significant impact on the environment and is categorically exempt.

IV. 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 DESIGN OVERLAY REVIEW NO. 1605-16 AND VARIANCE NO. 560-16 FOR A CONVERSION OF A VACANT COMMERCIAL BUILDING INTO A RESIDENTIAL SINGLE-FAMILY DWELLING WITH A NEW 2-CAR GARAGE AND A VARIANCE TO REDUCE THE SETBACK OF 20 FEET ON A 33-FOOT WIDE LOTS LOCATED AT 21941 SOUTH AVALON BOULEVARD."

V. Exhibits

1. Draft resolution
2. Land use map
3. Site plan, elevations, floor plans

Prepared by: Peter Raktiprakorn, Assistant Planner

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1605-16 AND VARIANCE NO. 560-16 FOR A CONVERSION OF A VACANT COMMERCIAL BUILDING INTO A RESIDENTIAL SINGLE-FAMILY DWELLING WITH A NEW 2-CAR GARAGE AND A VARIANCE TO REDUCE THE FRONT SETBACK FOR THE GARAGE FROM 25 FEET TO 20 FEET ON A 33-FOOT-WIDE LOT LOCATED AT 21941 SOUTH AVALON BOULEVARD

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

Section 1. An application was duly filed by the applicant, Nery Matus, with respect to real property located at 21941 South Avalon Boulevard and described in Exhibit "A" attached hereto, requesting the approval of a design overlay review and a variance request to convert and remodel of a 1,144-square-foot commercial building into a single-story single-family dwelling on a 33-foot-wide lot in the RS (Residential, Single-family) zone.

A public hearing was duly held on October 25, 2016, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

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

Section 3. Pursuant to Section 9172.23 Site Plan and Design Overlay Review, the Planning Commission finds that:

- a) The proposed single-family residence is compatible with the General Plan of the City of Carson in that the property and surrounding area are designated as Low Density (1-8 units max) and are zoned RS (Residential, Single-Family); and
- b) The proposed project meets the City's design and development standards. The proposed project is for conversion and remodeling of an existing single-story, 1,144-square-foot commercial building into a single-family dwelling located on a 33-foot-wide lot in an area consisting of predominately single-story, single-family residences. The colors and materials proposed for the single-family dwelling are attractive and effective in portraying an aesthetically pleasing product; and
- c) The proposed project provides for the convenience and safety of circulation for pedestrians and vehicles. Avalon Boulevard and 220th Street will be able to accommodate the traffic generated by this project. Adequate driveway width and a pedestrian sidewalk will ensure safety for pedestrians and motorists. The front yard fence will not exceed the maximum Code requirement of 42 inches in height, which will allow visibility for motorist access to the proposed project; and
- d) The proposed project meets all applicable design standards and guidelines of the Municipal Code.

EXHIBIT NO. 1'



Section 4. Pursuant to Section 9172.22 Variance, the Planning Commission finds that:

- a) The proposed project does not conform to the applicable parking front setback requirement for residential uses. CMC requires a parking setback of 25 feet. The new garage is proposed with a 20-foot setback which requires processing of a variance request. There are special circumstances applicable to the property which warrants approval of the requested variance. The subject property is 3,716 square feet and 33 feet in width. The property is smaller than the minimum lot area (4,000 square feet) and narrower than the minimum lot width for an interior lot (50 feet) or corner lot (55 feet) required in a residential zone. Most of the surrounding properties in the same zoning district are 40 feet wide. The smaller dimensions compared to similarly zoned properties reduces the buildable area for this site; therefore, necessitating a request for variance for the garage setback. Therefore, approval of this request would not constitute a special privilege.

Section 5. The Planning Commission further finds that the use permitted by the proposed design overlay review and a variance request will not have a significant effect on the environment. The proposed use will not alter the predominantly residential character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under CEQA, Section 15303(a).

Section 6. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1605-16 and Variance No. 560-16, with respect to the properties described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and approves the categorical exemption.

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

Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF OCTOBER, 2016.

CHAIRMAN

ATTEST:

SECRETARY



Exhibit "A"

The Westerly 43 feet of the Easterly 58 feet of the Southerly 100 feet of Lot 34 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 35, Pages 31 of Maps, in the office of the County Recorder of said County.

Design Overlay Review No. 1605-16 and Variance No. 560-16. Address: 21941 S. Avalon Boulevard.



CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1605-16
VARIANCE NO. 560-16

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1605-16 and Variance No. 560-16 are 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.
3. 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.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. 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.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or



his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.

9. 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.
10. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
11. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
12. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
13. Indemnification. The applicant agrees to 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, or in any way related to any damage or harm to people or property, real and personal, that may result from applicant's operations or any claims against the City for or as a result of the granting of a continuance. The City will promptly notify the applicant of any such claim, action, or proceeding against the City and applicant will pay the City's associated legal costs and will advance funds assessed by the City 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. Applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.



AESTHETICS

14. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to the Planning Division approval.
15. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
16. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
17. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
18. Incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.
19. Graffiti shall be removed from all areas within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. 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 modification (i.e. fencing, landscaping, chemical treatment, etc.)
20. Prior to Issuance of Building Permit, the specification of all colors and materials must be submitted and approved by the Planning Division.

FENCE/WALLS

21. Perimeter walls shall be architecturally coordinated with the project building and subject to the approval of the Planning Commission.
22. Where walls are used, they shall be of decorative material to include stucco block, slump stone or split face.
23. Chain-link fencing, including barbed and concertina wire, shall be removed. Decorative wrought iron fencing or a wall shall be used as a replacement if necessary.
24. Any wall, fence or hedges located in the required front yard setback area shall have a height not to exceed 42 inches, pursuant to Section 9126.23 of the CMC. A fence and gate may be erected outside of the required front yard setback area provided approval is granted by the Planning Division and Fire Department.

LANDSCAPE/IRRIGATION

25. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
26. 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.



27. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water 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.
28. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
29. The proposed irrigation system shall include best water conservation practices.
30. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division.

LIGHTING

31. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
32. 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.

PARKING

33. All driveways shall remain clear. No encroachment into driveways shall be permitted.
34. All areas used for movement, parking, loading, or storage of vehicles shall be paved and in accordance with Section 9162.0 of the Zoning Ordinance.

TRASH

35. Trash collection shall comply with the requirements of the City's trash collection company.
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 Planning Division.

UTILITIES

37. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
38. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground.



39. The applicant shall remove at his/her own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
40. Any aboveground utility cabinet or equipment cabinet shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.

BUILDING AND SAFETY DIVISION

41. Submit development plans for plan check review and approval.
42. Obtain all appropriate building permits and an approved final inspection for the proposed project.
43. Prior to Issuance of building permits, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

General Conditions

44. 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.
45. A construction permit is required for any work to be done in the public right-of-way.
46. Compliance with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.
47. 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 permit by Engineering Services.
48. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

Prior to Issuance of Certificate of Occupancy

49. Remove unused driveway approach if any, within the public right-of-way along Avalon Boulevard abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
50. Repair any broken or raised/sagged sidewalk, curb and gutter on 220th Street and along Avalon Boulevard abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
51. Modify existing driveways within the public right-of-way along 220th Street abutting this proposed development per City of Carson Standard to comply with the American Disability Act (ADA) requirements and to the satisfaction of the City Engineer.



52. Construct new driveway approaches per City of Carson Standard and in compliance with the American Disability Act (ADA) requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
53. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation.

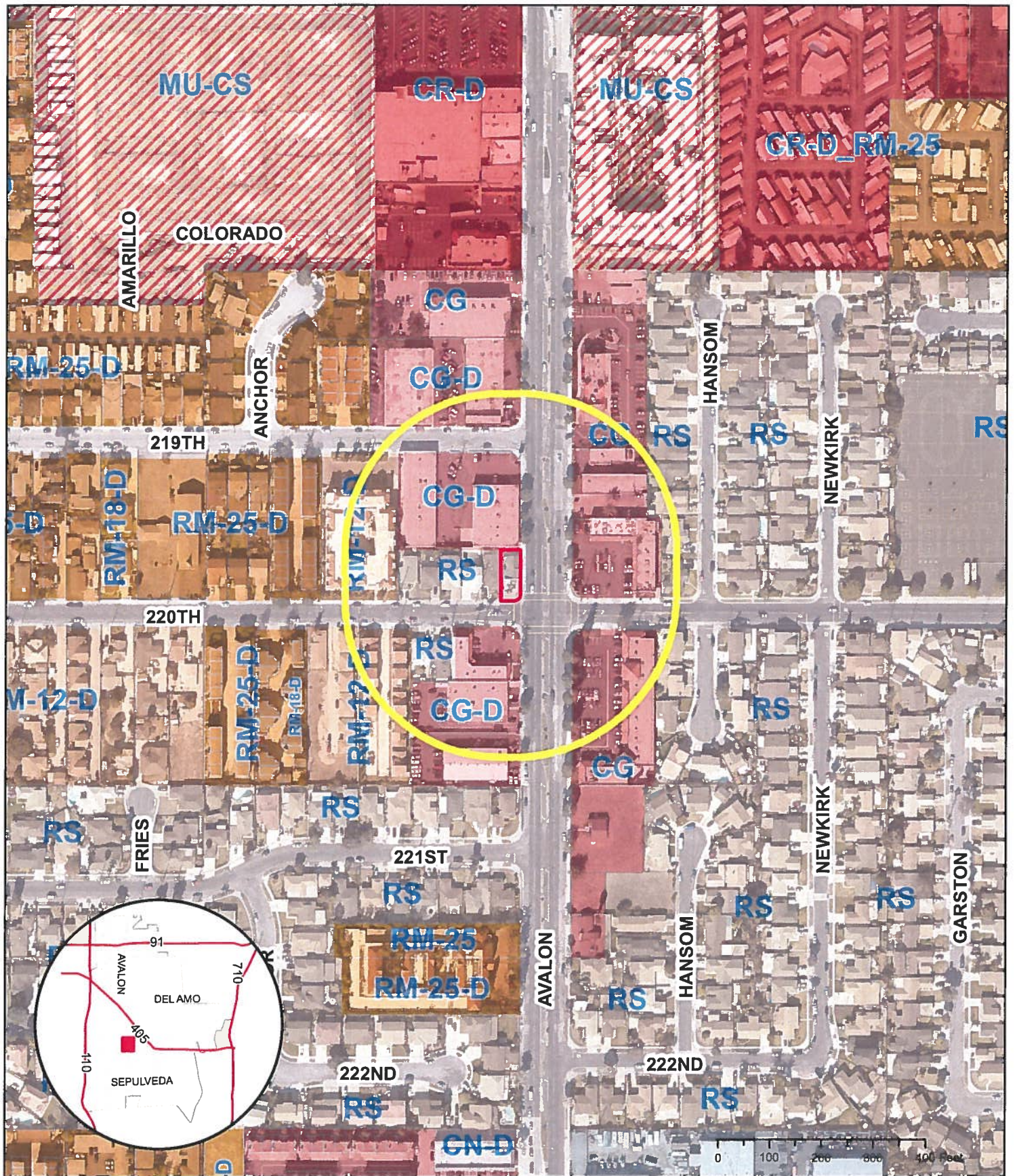
FIRE DEPARTMENT

54. The proposed residential development shall obtain approval and comply with all Los Angeles County Fire Department requirements (i.e., fire hydrant installations and fire flow requirements).

BUSINESS LICENSE

55. All parties involved in the subject project including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.





City of Carson EXHIBIT NO. 2'
 300 Foot Radius Map
 21941 S. Avalon Blvd.



Date Printed Thursday, August 04, 2016