

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PROPOSED TEXT AMENDMENT TO SECTION 9138.12 OF THE CARSON MUNICIPAL CODE TO ALLOW FOR THE SALE OF CONVENIENCE GOODS AT AUTOMOBILE SERVICE STATIONS WITHIN 300 FEET OF ANY SCHOOL, AS MEASURE FROM LOT LINE TO LOT LINE, WITH AN APPROVED CONDITIONAL USE PERMIT, AND APPROVING DESIGN OVERLAY REVIEW NO. 997-07, CONDITIONAL USE PERMIT NO. 664-07, CONDITIONAL USE PERMIT NO. 665-07, AND VARIANCE NO. 494-07 FOR A 2,254 SQUARE-FOOT GAS STATION AND CONVENIENCE STORE OPERATING 24 HOURS PER DAY, 7 DAYS PER WEEK, WITH A AUTOMATED AUTOMOBILE LAUNDRY FACILITY, AND A 55-FOOT HIGH POLE SIGN ON A SITE ZONED CG-D (COMMERCIAL, GENERAL – DESIGN OVERLAY) LOCATED AT 22235 S. FIGUEROA STREET. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PROPOSED TEXT AMENDMENT TO CMC SECTION 9138.12 TO ALLOW FOR THE SALE OF CONVENIENCE GOODS AT AUTOMOBILE SERVICE STATIONS WITHIN 300-FEET OF ANY SCHOOL, AS MEASURED FROM LOT LINE TO LOT LINE, WITH AN APPROVED CONDITIONAL USE PERMIT, AND APPROVING DESIGN OVERLAY REVIEW NO. 997-07, CONDITIONAL USE PERMIT NO. 664-07, CONDITIONAL USE PERMIT NO. 665-07, AND VARIANCE NO. 494-07 FOR A 2,254 SQUARE-FOOT GAS STATION AND CONVENIENCE STORE OPERATING 24 HOURS PER DAY, 7 DAYS PER WEEK, WITH A AUTOMATED AUTOMOBILE LAUNDRY FACILITY, AND A 55-FOOT HIGH POLE SIGN ON A SITE ZONED CG-D (COMMERCIAL, GENERAL – DESIGN OVERLAY) LOCATED AT 22235 FIGUEROA 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, United El Segundo, Inc., with respect to real property located at 22325 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of a new 2,254 square-foot gas station (with diesel fuel sales), convenience store operating 24 hours per day, 7 days per week, automated car wash, and a 55-foot high pylon sign in excess of the 30-foot maximum height requirement allowed in the CG-D (Commercial, General – Design Overlay) zone. A text amendment is proposed to consider permitting the sale of convenience goods at automobile service stations within 300 feet of a school with an approved Conditional Use Permit.

A public hearing was duly held on November 13, 2007, 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 subject property is zoned CG-D and has a General Plan Land Use designation of GC (General, Commercial), which is consistent with the zoning designation. The proposed uses are permitted within the zone with the requested entitlements. Surrounding uses include high-density residential and a middle school. The proposed use is compatible with the General Plan and surrounding uses. There are no specific plans for the area.;
- b) The architecture of the proposed development is avante- garde, given the building's wave-like shape, predominately glass finish and wavy, ledger stone and stamped-glass textures along its façade. Landscaping will occupy an area of 5,384 square -feet, or 15.33 percent% of the total area of the subject site. Open space accounts for 610 percent.85% of the total area of the site. The subject property is the sole commercially-zoned property within an 800-foot radius and the design is atypical for the proposed use. However, the proposed development will be complementary and consistent with the intended character of the area, in terms of providing for community needs, while also generating interest in the design and architecture. The scale and appearance of the structures, as well as the large percentage of open space on the property contribute to a harmonious and attractive development of the area.;
- c) The subject property is located on a corner lot at the intersection of two major streets. Adequate ingress and egress is accommodated on the site by virtue of four driveways, two located along Figueroa Street and two along 223rd Street. The driveways enable vehicles to maneuver onto either the southbound or westbound directions from the parking areas, fueling stations, and the car wash exit. Vehicles accessing the car wash are safely steered along the north property line and exit on the west side of the convenience store, away from pedestrian access to the store's entrance. Pedestrians accessing the convenience store from the public right-of-way can either follow the same path as those that come from the parking area along the west side of the property, or can follow the distinct path of travel stamped into the concrete stemming from the east property line along Figueroa Street.;
- d) The signs are all colored and textured to match the ledger stone veneer of the main building's front elevation. The signs feature the corporate icons for the branded gasoline to be sold onsite, and are located along the canopy fascia board, on the pole sign, and the monument sign. The use of high-end materials and limited numbers of colors contribute to an attractive, restrained, and effective graphic, color, and sign presentation.;
- f) The subject property is 35,105 square-feet in area (0.8 acre), which is in excess of the 20,000 square-feet required both for a retail petroleum outlet, and car wash facility. The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the proposed uses and development.;
- g) There are two existing fire hydrants located within the right-of-way along the south side of the subject site, facing 223rd Street. A water-flow calculation and additional fire protection information will be required to be submitted by the applicant during the building plan check and permit issuance process.;

- h) The car wash is designed in such a way as to sufficiently meet, or exceed applicable zoning code requirements that pertain to that use, which include specific lot area, street frontage, landscaping, access/circulation, site improvements, and performance standards. The location, ease of use, and hands-free operation makes the car wash a complementary use to the convenience store and gas station.
- i) The proposed sales of convenience goods within 300 -feet of Stephen M. White Middle School is appropriate for the subject site, as the use provides a convenience for passing vehicles and pedestrians in a safe and effective manner.;
- j) To mitigate potential negative influences of certain convenience goods on schoolchildren (minors) in the vicinity, certain conditions of approval prohibit the placement of signs advertising cigarettes on the exterior of the building, or anyplace outside of the building on the subject site. Additionally, informative literature pertaining to the health risks and negative effects of smoking are required to be placed in a conspicuous area within the convenience store.;
- k) There are special circumstances related to this property in that it is freeway adjacent and located on a corner lot. Existing large growth, fFully mature trees line the east side of the freeway, which would prohibit the visibility of a 30-foot high pole sign.;
- l) There are properties under the identical same zoning claissificationing which enjoy the privileges of having pole signs in excess of the 30-foot height limit. New construction on a site adjacent to the 91-freeway was given a variance for a 63-foot high pole sign. Additional pole signs whose heights are in excess of the 30-foot maximum, have been approved for CG-D zoned sites along the 405 freeway, on Carson Street and at the Wilmington and 223rd Street intersection;
- m) Strict application of the 30-foot sign height limit found in Section 9136.7 of the zoning ordinance Carson Municipal Code (CMC) deprives the applicant privileges enjoyed by other properties in the vicinity under identical topography conditions and zoning classification.

Section 4. The Planning Commission further finds that the use permitted by the proposed permits will not have a significant effect on the environment. The proposed uses do not significantly alter the existing urbanized 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 the CEQA Guidelines, Section 15332, In-fill Development.

Section 5. Based on the aforementioned findings, the Commission hereby recommends approval of the proposed Text Amendment to Carson Municipal Code Section 9138.12 of the CMC to the City Council, to permit the sale of convenience goods at automobile service stations within 300 -feet of a school, as measure from lot line to lot line, with an approved Conditional Use Permit. Furthermore, the Commission grants Design Overlay Review No. 997-07, Conditional Use Permit No. 664-07, Conditional Use Permit No. 665-07, and Variance No. 494-07, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and approves the categorical exemption.

Section 6. The Secretary shall certify the adoption of this 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 13th DAY OF NOVEMBER, 2007.

CHAIRMAN

ATTEST:

SECRETARY