



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: July 10, 2007

SUBJECT: Design Overlay Review No. 966-06; Conditional Use Permit No. 636-06

APPLICANT: Fred Fiedler and Associates
Attn: Alex Krause
2322 West 3rd Street
Los Angeles, CA 90057

REQUEST: Construction of a new 2,422 square foot, 7-Eleven convenience store with alcohol sales for off-site consumption and a miscellaneous petroleum outlet with 12 automobile gasoline pumps on an approximate 0.78 acre lot in the CG (Commercial, General) zone district.

PROPERTY INVOLVED: 1881 E. Del Amo Boulevard

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Hudson			Saenz
		Cannon			Verrett

Item No. 10C

I. Introduction

This item has been continued from the Planning Commission meetings of February 13, February 27, March 13, April 10, May 22, June 12, and June 26, 2007.

The applicant, Fred Fiedler and Associates, on behalf of the property owner, Fisher Development, LLC., proposes a new 2,422 square foot, 7-Eleven convenience store with alcoholic sales for off-site consumption and a miscellaneous petroleum outlet with six automobile gasoline pumps that will operate 24 hours a day, seven days a week.

Proposal Details

A 2,422 square-foot convenience store building will be located on the western portion of the property. A 3,600 square-foot canopy for six fueling dispensers with two pumps each (12 gasoline pumps total) will be located on the east side of the property. The total number of employees will be 6-9. The proposed landscaping comprises 27.5 percent of the site (8,728 square feet) and is primarily located along the perimeter of the subject site, with a large additional area of landscaping on the west side, adjacent to the convenience store area.

The convenience store will have an entrance facing east toward Wilmington Avenue. The store building is one-story and will be stuccoed a beige color with decorative tile veneer along the base. The entryway and front relief is all glass for the first eight feet from the ground with two main entry doors. Above the glass section in front is a 35-foot by 3-foot 7-Eleven sign. Reveals are shown on the proposed elevations, along with decorative parapets raised approximately eight inches from the roofline.

For the west (rear) elevation, the applicant is proposing trellises and vines to provide coverage, aesthetic value, and to deter graffiti. A small 7-Eleven icon/logo sign is proposed for the rear elevation.

The south elevation, facing Del Amo Boulevard portrays the same reveal, stucco, paint and veneer tiles as the front elevation, as well as a smaller sign that is similar to the front sign, but half the width. The electrical meter will be placed along the north elevation, facing the railroad track. No signs are proposed for the north side.

A trash and recycling area, designed pursuant to CMC Section 9164.5, is proposed to be placed along the north property line facing the fueling canopy area. The trash area is proposed to be stuccoed, textured and painted to match the proposed building. A self-closing metal gate is proposed to enclose the trash and recycling areas.

The applicant proposes 14 parking spaces, including one space reserved for the disabled, which is consistent with applicable zoning codes. The proposed development plan includes four driveways, two facing Wilmington Avenue and two facing Del Amo Boulevard. This driveway configuration, along with the canopy and fueling dispenser locations will provide adequate circulation for gasoline trucks. According to staff's traffic engineer, adequate access for fueling trucks, trash trucks and automobiles is provided for in this design.

At staff's request, the applicant agreed to treat the canopy structure supports with the same stucco, paint and veneer tiles found on the main building, as well as arched

guards protecting the canopy supports and fuel dispensing machines. The proposed monument sign to be located at the southeast corner of the subject property will be stuccoed and painted to match the proposed building and is designed with the same architectural features (reveals and decorative cap).

II. Background

On October 2, 2006, the applicant, Fred Fiedler and Associates, submitted the discretionary permit applications for the proposed project. There are no other active discretionary permits on file for the subject property. Previous discretionary permits include Special Use Permit No. 55-71, which allowed for a Mobil gasoline automobile service station (that has since been removed) and DOR No. 560-02, which was to convert lube bays into a snack shop for the previous automotive use on the property. There are currently no code enforcement issues on the subject property. This item was originally scheduled for the February 13, 2007 Planning Commission public hearing. Citing a need to resolve certain issues with the applicant and staff pertaining to a recommended condition of approval concerning a street dedication for a future right-of-way, the property owner asked that the public hearing be continued until February 27, 2007. Subsequent continuances were made to March 13, April 10, May 22, June 12, June 26, and July 10, 2007.

III. Analysis

Location, Site Characteristics and Existing Development

The subject property is 0.78 acres (34,128 square feet), is triangular-shaped with approximately 150 feet of street frontage along Wilmington Avenue and 320 feet along Del Amo Boulevard. The subject property is located on the northwest corner of Del Amo Boulevard and Wilmington Avenue in the central-eastern part of the city. The parcel is currently vacant with no structures.

North and west of the subject property are residential, single-family homes, which are located opposite a seldom-used railroad track (also zoned CG), approximately 40-feet in width that is adjacent to the subject property. To the east, across Wilmington Avenue is a warehouse/retail use. To the south, across Del Amo Blvd. is the Shell Oil Company's tank farm and distribution facility.

General Plan Designation

The subject property and contiguous railroad property to the north have a General Plan Land Use Designation of GC (General Commercial). South across Del Amo Boulevard and west of Wilmington Avenue, is the Shell Oil Company's tank farm, which has a General Plan Land Use Designation of BP (Business Park). To the west, along the north side of Del Amo Boulevard are single-family homes, which are designated LD (Low Density). On the south side of Del Amo Boulevard, east of Wilmington Avenue is property that is located within the City's sphere of influence, as described in the General Plan.

Zoning Designation

The subject property and contiguous railroad property to the north are located in the

CG (Commercial, General) zone district. The single-family homes west (and north) of the subject lot are zoned RS (Residential, Single-family). South, across Del Amo Boulevard and west of Wilmington is BP (Business Park) zoning and east of Wilmington is MH (Manufacturing, Heavy) zoned property. The properties located in the sphere of influence area east of the subject property and on the north side of Del Amo Boulevard do not have a zoning designation under the City.

Design Overlay Review No. 966-06

Carson Municipal Code (CMC) Section 9172.23(B)1(a) states that an application for approval of a Development Plan shall be submitted to the Planning Commission for determination in any case involving construction of a new building or structure having an estimated valuation of \$50,000 or more. Because the proposed project has been valued at more than \$50,000 it is subject to a Site Plan and Design Review requiring a public hearing before the Planning Commission. The Planning Commission may approve the proposal only if the following findings can be made in the affirmative as per CMC Section 9172.23(D):

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses;
- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area;
- c. Convenience and safety of circulation for pedestrians and vehicles;
- d. Attractiveness, effectiveness and restraint in signing, graphics and color; and,
- e. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

Conditional Use Permit No. 636-06

Section 9172.21 (D) of the CMC requires that the Planning Commission, by Resolution, render its approval for a Conditional Use Permit based on the ability to make affirmative findings concerning the following:

- a. The proposed use and development will be consistent with the General Plan;
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development;
- c. There will be adequate street access and traffic capacity;
- d. There will be adequate water supply for fire protection;

- e. The proposed use and development will be compatible with the intended character of the area; and,
- f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

In addition to the general criteria for the approval of a Conditional Use Permit, Section 9138.5 outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit to allow for alcoholic beverage sales in a commercial zone intended for off-site consumption:

- a. No off-sale business (incidental) shall be established within three hundred (300) feet of any school or park, and no off-sale business (primary) shall be established within three hundred (300) feet of any school, park or church. The distances set forth in the preceding sentence shall be determined by measuring from lot line to lot line;
- b. The total number of on-sale businesses shall not exceed 85; and
- c. The total number of off-sale businesses shall not exceed 70.

Based upon the information found in this Analysis section, all of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision", Section 9171.21(d), "Conditional Use Permit, Commission Findings and Decision", as well as all other specific criteria identified for each of the discretionary permits can be made in the affirmative. Specific details regarding the applicable findings and all other specific criteria identified for each of the discretionary permits are incorporated in the attached resolution.

Issues of Concern

Street Dedication – Right-Turn Lane Requirement – Pursuant to CMC Section 9161.3, Dedications, the Director of Public Works shall require dedications in accordance with the General Plan, the Master Plan of Street and Highways, and, or the Subdivision Ordinance. According to the Transportation and Infrastructure Element of the General Plan, roadways designated as major highways would require intersection improvements beyond the standard for mid-block locations if the roadway is projected to operate at unacceptable levels of service (LOS) E or F. Given that Wilmington Avenue is classified as a major highway that is projected to operate at LOS F during the AM and PM peak periods, the Wilmington Avenue and Del Amo Boulevard intersection should ultimately be provided with the maximum cross section, according to the Traffic Engineer (see Exhibit No. 5). This development plan provides the opportunity to widen the right-of-way at intersections so that additional lanes can be provided to increase the capacity of the intersection and eliminate bottlenecks. The planned cross section for these major street intersections, as shown on the attached figure (Exhibit TI-14 from the General Plan – labeled Exhibit No. 4) would accommodate three through lanes, two left turn lanes, and a right turn lane.

Mitigation - To comply with the General Plan standards, a right turn lane needs to be provided on the southbound approach of Wilmington Avenue. A required dedication of 10.5 feet along Wilmington Avenue is included as a condition of approval in the attached resolution. The development plans were revised to include the required dedication area and, as proposed will still be consistent with applicable setbacks and other development standards found in the Planning Chapter of the CMC even after the future right turn lane is completed.

Undergrounding of Utilities – CMC Section 9161.4, Improvement Requirements for Buildings and Structures, Subsection B, states that required improvements may include modifications to existing utilities and other improvements required by the Director of Public Works. There are two larger utility poles that currently exist along the Wilmington Avenue frontage and several smaller poles, some of which may be temporary along the northern property line. Standard practice with new construction on vacant lots has been to require undergrounding of existing utilities, except in the case of a new single-family home. The property owner is reluctant to underground the existing utilities, in light of the costs associated with doing so. Staff recommends that the Planning Commission be consistent in applying the condition for undergrounding existing utilities, which has been considered a standard condition for similar projects elsewhere in the city.

Mitigation – Staff recommends that the existing utilities be undergrounded along Wilmington Avenue to a point halfway across Del Amo Boulevard to the south and to the northernmost point of the subject property to the north.

Alcoholic Beverage Sales – To provide more controls associated with the approval of the conditional use permit for alcoholic beverage (beer and wine only) sales, the applicant, at the request of 7-11, has worked with staff to develop conditions of approval to provide additional regulation of the off-site sale of alcoholic beverages.

Mitigation – Staff has included these and other conditions of approval to Exhibit “B” of the attached Resolution.

IV. Environmental Review

After reviewing the Initial Study for the project, the Planning Division has determined that this project will not have a significant effect on the environment. Accordingly, a Negative Declaration has been prepared pursuant to California Public Resources Code Section 15070.

V. Recommendation

That the Planning Commission:

- ADOPT the Negative Declaration; and,
- WAIVE further reading and ADOPT Resolution No._____, entitled “A Resolution of the Planning Commission of the City of Carson Approving

Design Overlay Review No. 966-06 and Conditional Use Permit No. 636-06 to Construct a Convenience Store With Alcohol Sales Intended for Off-Site Consumption and a Miscellaneous Petroleum Outlet Located at 1881 E. Del Amo Boulevard.”

VI. Exhibits

1. Draft Resolution

Prepared by: _____
Steven Newberg, AICP, Associate Planner

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

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