



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 9, 2008  
SUBJECT: Conditional Use Permit No. 705-08  
APPLICANT/REPRESENTATIVE: Jim Tulk  
2712 E. Van Buren Street  
Carson, CA 90810  
REQUEST: To authorize construction of a 284-square-foot storage area and laundry room to an existing 545-square-foot detached garage/accessory structure.  
PROPERTY INVOLVED: 2712 E. Van Buren Street

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#### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Faletogo – Chairman			Saenz
		Cannon			Verrett
		Graber			

***Item No. 12B***

I. **Introduction**

The applicant is requesting approval of Conditional Use Permit (CUP) No. 705-08 to authorize construction of a storage area and laundry room addition totaling 284 square feet to an existing 545-square-foot garage/accessory structure. The resultant structure will total 829 square feet in area. The property is located at 2712 E. Van Buren Street and is zoned Residential, Single-Family (RS).

II. **Background**

Carson Municipal Code (CMC) Section 9122.2(A), Outbuildings and Accessory Uses, requires a CUP for private garages and other accessory structures if over 500 square feet in area. The existing 545-square-foot garage was issued a building permit and constructed in 1957, prior to city incorporation. Section 9182.21, Nonconforming Use Eligible for Conditional Use Permit or Other Approval, states that any use lawfully established as an automatically permitted use which subsequently is designated as a use requiring a conditional use permit or other special approval shall be considered to be a nonconforming use until such time as a conditional use permit or other such special approval is granted. Likewise, CMC Section 9182.41(A), Nonconformity Requiring Capital Expenditure to Conform, states that the existing conditions are allowed to continue indefinitely. However, the 284-square-foot addition of a laundry room and storage area is considered an intensification of the non-conforming use and therefore the applicant is required to obtain the necessary CUP prior to building permit issuance.

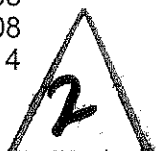
The subject property is located within a predominately single-family neighborhood bounded by Santa Fe Avenue on the east, Alameda on the west, Dominguez Street to the north and Carson Street to the south, and commonly referred to as the 'Presidential Tract'. Most houses in this area were constructed in the period between 1920 and 1940. Many have since been updated with more modern accoutrement, and some have been completely rebuilt. Records on file indicate that the 1,014-square-foot single-family residence located on the subject property was constructed in 1945 with no garage. A detached garage and home workshop was permitted and constructed in 1957. Earlier this year a building permit was issued to construct a 168-square-foot bathroom and walk-in closet addition to the main house. The applicant proposes to expand the accessory structure to accommodate a laundry and additional storage space.

The property site has no previously approved discretionary permits on file, nor are there any known past or current zoning code enforcement cases.

III. **Analysis**

**Conditional Use Permit No. 705-08**

Carson Municipal Code (CMC) Section 9122.2(A), Outbuildings and Accessory Uses, requires a CUP for private garages over 500 square feet in area. Section 9172.21 (D) states that a CUP application shall be submitted and recommended for approval if the project meets specified criteria; and that the Commission shall approve a



Conditional Use Permit if it is able to make affirmative findings based on the following criteria:

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

The existing garage and accessory structure is a permitted use in the RS zone. The zoning for the subject property is consistent with the General Plan Land Use designation of Low Density Residential. The proposed addition will not significantly alter the utility function of the structure. Therefore, 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.**

The subject property is located in a predominately single-family neighborhood, is 5,507 square feet in area, rectangular-shaped, flat, and served by existing utilities. The existing lot coverage of all structures on the property is 31 percent. The proposed addition will increase the lot coverage to 36 percent, or roughly one-third of the total lot. Also, the proposed addition will be served by existing utilities on the property, such as water and electricity, and will not require new infrastructure improvements or electrical upgrades. Thus, the site is more than adequate in size, shape, topography, location and utilities to accommodate the proposed use and development.

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

Van Buren Street is a residential street which operates with a minimal amount of traffic. The existing garage and driveway is adequate to serve the proposed use. The proposed addition will not affect existing street access or traffic capacity.

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

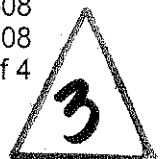
There are fire hydrants in the vicinity of the proposed addition, and convenient access for Fire Department vehicles and personnel. There is adequate water supply to aid in fire suppression in the event of an actual emergency.

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

The proposed construction will occupy space on an existing single-family residential lot which is surrounded by similarly zoned properties and within a predominately single-family residential neighborhood.

**f. Such other criteria as are specified for the particular use in other Sections of this Chapter.**

The proposed project meets all applicable design standards and guidelines of the Municipal Code.



III. Environmental Review

The proposed addition does not exceed 50 percent of the existing structures and no significant environmental impacts are expected to result from this development proposal. Therefore, pursuant to Section 15301(e)(1), Existing Facilities, of the California Environmental Quality Act (CEQA), the proposed project is classified as "Categorically Exempt" and no further environmental analysis is required.

IV. Recommendation

That the Planning Commission:

- APPROVE Conditional Use Permit No. 705-08 subject to the conditions of approval attached as Exhibit "B" to the attached Resolution; and
- WAIVE further reading and ADOPT Resolution No. \_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 705-08 to construct a 284-square-foot addition to an existing 545-square-foot detached garage located at 2712 E. Van Buren Street."

V. Exhibits

1. Draft Resolution
2. Land Use Map
3. Development Plans for CUP 705-08

Prepared by: \_\_\_\_\_

Steven C. Newberg, AICP, Associate Planner

Reviewed by: \_\_\_\_\_

John F. Signo, AICP, Senior Planner

Approved by: \_\_\_\_\_

Sheri Repp, Planning Manager

CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 705-08 TO CONSTRUCT A 284-SQUARE-FOOT ADDITION TO AN EXISTING 545-SQUARE-FOOT DETACHED GARAGE LOCATED AT 2712 E. VAN BUREN STREET

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

**Section 1.** An application was duly filed by the applicant, Jim Tulk, with respect to real property located at 2712 E. Van Buren Street and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 705-08, for the construction of a 284-square-foot storage area and laundry room to an existing 545-square-foot detached garage/accessory structure on a property in the RS (Residential, Single-family) zone.

A public hearing was duly held on September 9, 2008, 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 existing garage and accessory structure is a permitted use in the RS zone. The zoning for the subject property is consistent with the General Plan Land Use designation of Low Density Residential. The proposed addition will not significantly alter the utility function of the structure. Therefore, the proposed use and development will be consistent with the General Plan.
- B) The subject property is located in a predominately single-family neighborhood, is 5,507 square feet in area, rectangular-shaped, flat, and served by existing utilities. The existing lot coverage of all structures on the property is 31 percent. The proposed addition will increase the lot coverage to 36 percent, or roughly one-third of the total lot. Also, the proposed addition will be served by existing utilities on the property, such as water and electricity, and will not require new infrastructure improvements or electrical upgrades. Thus, the site is more than adequate in size, shape, topography, location and utilities to accommodate the proposed use and development.
- C) Van Buren Street is a residential street which operates with a minimal amount of traffic. The existing garage and driveway is adequate to serve the proposed use. The proposed addition will not affect existing street access or traffic capacity.
- D) There are fire hydrants in the vicinity of the proposed addition, and convenient access for fire department vehicles and personnel. There is adequate water supply to aid in fire suppression in the event of an actual emergency.



- F) The proposed construction will occupy space on an existing single-family residential lot which is surrounded by similarly zoned properties and within a predominately single-family residential neighborhood.

**Section 4.** Pursuant to Section 15301(e)(1), Existing Facilities, of the California Environmental Quality Act (CEQA), the proposed project is classified as "Categorically Exempt" and is not expected to generate any significant adverse effects on the environment.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 705-08 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 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 9th DAY OF SEPTEMBER 2008.**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**



**CITY OF CARSON  
DEVELOPMENT SERVICES  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO .705-08**

**Property Address:** 2712 E. Van Buren Street

The land referred to as parcel no. 7308-010-021 is situated in the County of Los Angeles, State of California and is described as follows:

Lots 1595 and 1596 of Tract 7644 in the City of Carson, County of Los Angeles, State of California, As per Map recorded in Book 84, Page(s) 47 and 48 of Maps, in the Office of the County Recorder of said County.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 705-08**

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Conditional Use Permit No. 705-08 is not submitted to the City of Carson 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 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 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 by the Planning Commission.
5. The 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. 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. 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.





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.
10. 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
11. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 705-08. 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.

#### AESTHETICS

12. 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.
13. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.

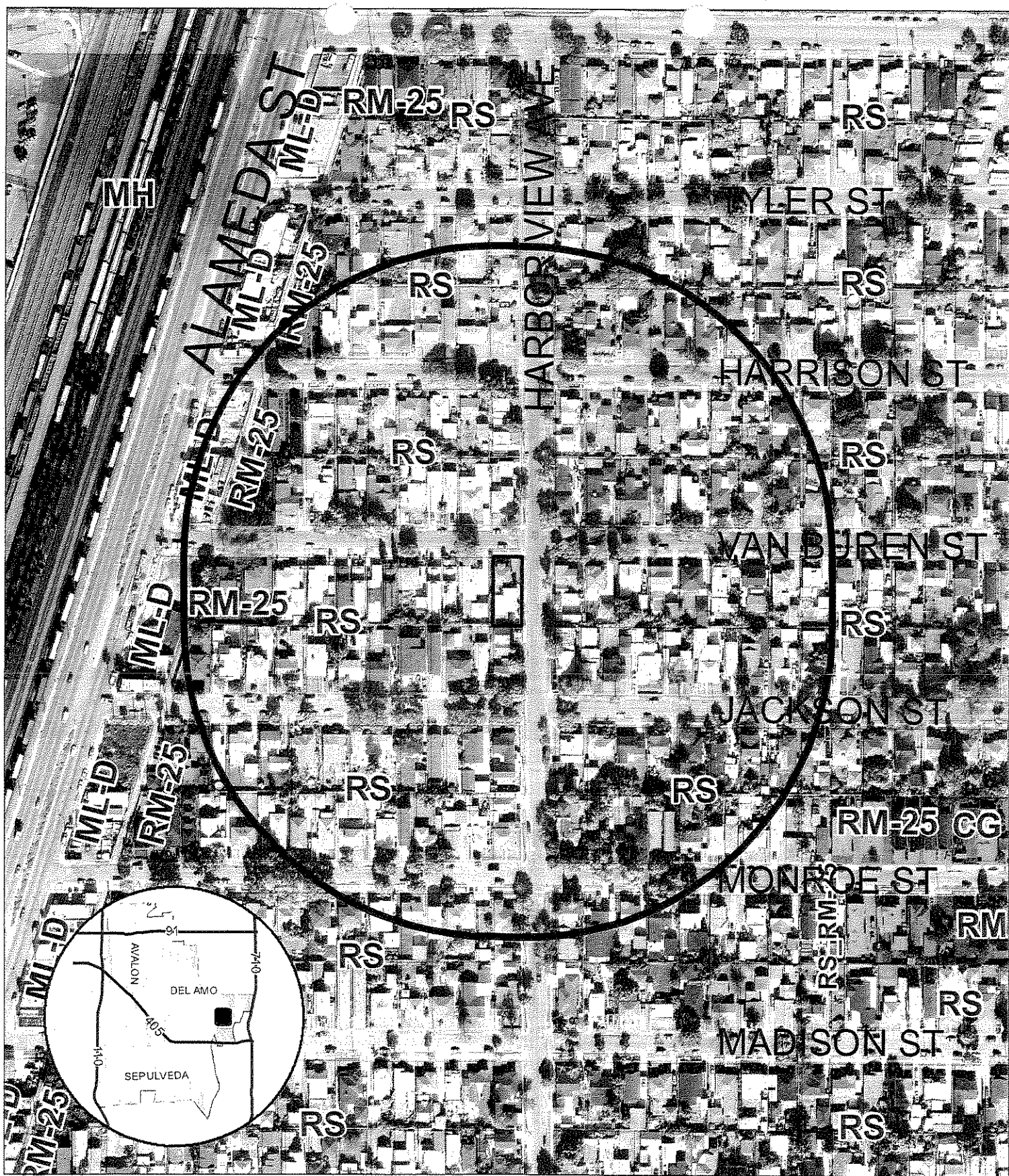
#### PARKING

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

#### BUSINESS LICENSE DEPARTMENT

15. Per section 6310 of the Carson Municipal Code, all parties involved in the replacement of the existing signage and associated project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.





**EXHIBIT NO. 2**

**City of Carson  
500 Foot Radius Map  
2712 E Van Buren**

