CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

| NEW BUSINESS CONSENT: | August 13, 2013 | | |
|---------------------------|--|--|--|
| SUBJECT: | Extension of Time No. 1 to Design Overlay Review No. 1438-11 | | |
| APPLICANT: | Architecture Solution Group Attn: Nguyen Le 10232 Abbott Street Stockton, CA 95209 | | |
| REQUEST: | One-year time extension for construction of a new 3,675-square-foot retail building on a site located in the MU-CS (Mixed Use – Carson Street) zone | | |
| PROPERTY INVOLVED: | 21607 South Main Street | | |
| COM | Extension of Time No. 1 to Design Overlay Review No. 1438-11 Architecture Solution Group Attn: Nguyen Le 10232 Abbott Street Stockton, CA 95209 One-year time extension for construction of a new 3,675-square-foot retail building on a site located in the MU-CS (Mixed Use – Carson Street) zone VED: 21607 South Main Street COMMISSION ACTION | | |
| Concurred with staff | | | |
| Did not concur with staff | | | |
| Other | | | |
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COMMISSIONERS' VOTE

| AYE | NO | | AYE | NO | |
|-----|----|--------------------|--|-------|----------|
| | | Chairman Faletogo | | ***** | Gordon |
| | | Vice-Chair Verrett | : | | Piñon |
| | | Brimmer | and the state of t | | Saenz |
| | | Diaz | | | Schaefer |
| | | Goolsby | | | |

l. Introduction

On June 26, 2012, the Planning Commission approved Design Overlay Review (DOR) No. 1438-11 on behalf of GB Carson, LLC to permit the construction of a new 3,675-square-foot retail/restaurant building. Prior to the expiration of DOR No. 1438-11, on May 22, 2013, the applicant filed an extension of time application. The project site is located at 21607 South Main Street in the MU-CS (Mixed Use – Carson Street) zone. The subject property is currently being utilized as surplus parking for the Seafood City market and surrounding retail uses. The site has remained as a parking lot since 1973, when Seafood City was originally constructed.

The 0.45-acre project site is located on the northwest corner of Main Street and Carson Street and is comprised of two separate parcels (APN 7343-011-076 and 7343-011-077). The existing Seafood City shopping center is located on its own parcel to the west and shares circulation and parking with the project site. The entire shopping center, excluding the Blockbuster Video site which is under separate ownership, is 3.15 acres.

II. Analysis

The applicant requests a one-year time extension to gain additional time to prepare plans and determine the timing for the construction of the project.

The proposed continues to be in conformance with the vision, goals and policies described within the General Plan and the MU-CS (Mixed-Use – Carson Street) zone district.

VI. Recommendation

That the Planning Commission:

- APPROVE the extension of time for Design Overlay Review No. 1438-11; and
- ADOPT a minute resolution extending the approval to June 26, 2014

Exhibits

1. Planning Commission Resolution No. 12-2438

2. Development Plans

Prepared by:

Saied Naaseh, Associate Planner

Approved by:

John F. Signo, AICP, Schior Planner

Planning Commission Staff Report Extension of Time No. 1 for DOR No. 1438-11 August 13, 2013

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CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 12-2438

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1438-11 FOR THE CONSTRUCTION OF A NEW RETAIL/RESTAURANT BUILDING LOCATED AT 21607 SOUTH MAIN STREET

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

<u>Section 1</u>. An application was duly filed by the applicant, Nguyen Le, on behalf of the GB Carson, LLC, with respect to real property located at 21607 South Main Street and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review 1438-11 to authorize the construction of new 3,675-square-foot retail/restaurant building, as well as associated landscaping, walls and fencing improvements in the MU-CS (Mixed Use – Carson Street) zone.

A public hearing was duly held on June 26, 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.

<u>Section 2</u>. 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(d), Site Plan and Design Review, Approval Authority and Findings and Decision, the Planning Commission finds that:

- a) The project site is located within the MU-CS (Mixed Use Carson Street) zoning district. The General Plan Land Use designation for the property is Mixed Use Residential which is compatible with the property's zoning. The project site is located in an urbanized setting characterized primarily by commercial and residential uses. The commercial uses range from small to medium sized uses located along Carson Street and Main Street. The proposed project is compatible with the intended character of the area and surrounding uses.
- b) The proposed site will provide a 10-foot landscaped setback adjacent to Main Street and new landscaping within the parking area. Adequate vehicular parking and drive aisles are provided on-site. The proposed building will provide 3 retail tenant spaces and 1 restaurant space.
- c) The applicant is proposing 1,770 square feet of retail space and 1,905 square feet for restaurant space. Per the proposed use, the site is required to provide a total of 26 parking spaces according to the requirements in Carson Municipal Code (CMC) Section 9162.21- Parking Spaces Required. The project will provide a total of 27 parking spaces, resulting in a surplus of 1 parking space.

Accessible pathways are proposed in the parking lot to provide safe connections for employees and pedestrians from the public street. The site has been designed to promote safe circulation for pedestrians and vehicles. Shared parking and driveways

for the adjacent Seafood City shopping center will be provided. The project meets or exceeds the minimum requirements for parking and maneuvering.

- Preliminary sign locations have been proposed along the façade of the building, however a sign program will be required to be approved and reviewed by planning staff. Exact locations and sign types will not be known until tenants begin to occupy the building area(s) and submit for separate sign approvals. Such approval will be considered by planning staff when sign permits have been applied for after the discretionary entitlement process. All signs are required to be compliant with applicable zoning codes. The building will be painted an earthen tone, with darker beige accent colors throughout. The proposed project displays an overall attractiveness, effectiveness and restraint in signing, graphics and color.
- e) The project conforms to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

<u>Section 5</u>. The Planning Commission further finds that the proposed project will not have a significant effect on the environment pursuant to Section 15303 (c) – New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA) Guidelines. Approving the construction of a new 3,675-square-foot retail/restaurant building is exempt. The project does not have the potential to cause a significant effect on the environment.

<u>Section 6</u>. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1438-11, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

<u>Section 7</u>. The Secretary shall certify to the adoption of this Resolution and shall transmit copies of the same to the applicant.

<u>Section 8</u>. 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 26TH DAY OF JUNE, 2012.

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcels 1 and 2 of Parcel Map 4210, in the City of Carson, County of Los Angeles, State of California, as per map filed in Book 51, Page 25, of Parcel Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Number:

7343-011-076,

7343-011-077



CITY OF CARSON

DEVELOPMENT SERVICES

PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 1438-11

GENERAL CONDITIONS

- 1. If a building permit plan check submittal for Design Overlay Review No. 1438-11 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 requested prior to expiration and approved by the Planning Commission.
- 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. If required, 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 applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
- 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. 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.
- 9. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
- 10. 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.
- 11. The 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 Design Overlay Review No. 1438-11. 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.

PARKING

- 12. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
- 13. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
- 14. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
- 15. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
- 16. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

17. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.

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- 18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
- 19. 6" x 6" concrete curbs are required around all landscaped planter areas unless otherwise approved by the Planning Division.
- 20. 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.

AESTHETICS

- 21. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
- 22. Graffiti shall be removed from all project areas within 15 days of written notification by the City of Carson. 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 modifications (i.e., fencing, landscaping, chemical treatment, etc.).

SIGNS

- 23. A sign program must be submitted to planning staff for review and approval prior to the issuance of a sign permit.
- 24. Business signs and sign structures shall be permitted in conformance with development plans which have been approved 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.

LIGHTING

25. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.

TRASH

26. A trash enclosure area shall be provided on-site. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six-foot-high decorative concrete block wall that is compatible with the architectural design of the main building. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

PLANNING - OTHER

27. Prior to issuance of building permits, the plans must show the installation of an electric vehicle (EV) outlet on-site. The infrastructure for an EV outlet must be provided prior to certificate of occupancy.

28. An application for a lot merger shall be submitted to planning prior to submittal for building permits.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

- 29. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
- 30. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
- 31. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department.
- 32. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
- 33. The required fire flow for public fire hydrants at this location is 1750 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. Two hydrants flowing simultaneously may be used to achieve the required fire flow.
- 34. All hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25 feet from a structure or protected by two (2) hour rated firewall.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

- 35. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson Engineering Division, prior to issuance of grading permits.
- 36. The Developer shall submit a copy of approved plans on mylars (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson Engineering Division, prior to issuance of construction permits.
- 37. 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.
- 38. A construction permit is required for any work to be done in the public right-of-way.
- 39. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.



<u>Prior to issuance of Building Permit</u>, the proposed development is subject to the following:

- 37. Soils report, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
 - Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
- 38. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
- 39. Lot line adjustment shall be recorded.
- 40. The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
- 41. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
- 42. The Developer shall submit improvement plans to the Development Services Group Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
 - a) Street Improvements (if any) along Main Street.
 - b) Sewer Main Improvements (if any) along Main Street as determined by the aforementioned sewer area study.
 - c) Storm Drain Improvements (if any) along Main Street as determined by the aforementioned requirement.
- 43. 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 Building Permit.

<u>Prior to issuance of Certificate of Occupancy</u>, the proposed development is subject to the following:

- 44. The Developer shall install separate sewer lateral to individually serve the building in the development.
- 45. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.



- 46. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
 - a) Comply with mitigation measures recommended by the water purveyor.
- 47. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
- 48. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Main Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
- 49. Fill in any missing sidewalk within the public right of way along Main Street abutting this proposed development
- 50. The developer shall reconstruct existing driveway approaches per City of Carson Standard and in compliance with the 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.
- 51. Plant approved parkway trees on locations where trees in the public right of way along Main Street abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
- 52. All existing overhead utility lines less than 12 kilovolts along Main Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the deposit of the in-lieu fee before issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination. [Per SCE: Distribution Lines are 12kV and less; Transmission Lines: 16kV and above]
- 53. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
- 54. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the existing streetlights. The annexation shall be to the satisfaction of L.A. County Street Lighting Division and shall be completed prior to the issuance of certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (annexation procedure is approximately 12-month) Contact LACDPW Traffic Lighting Joaquin Herrera (626)300-4770

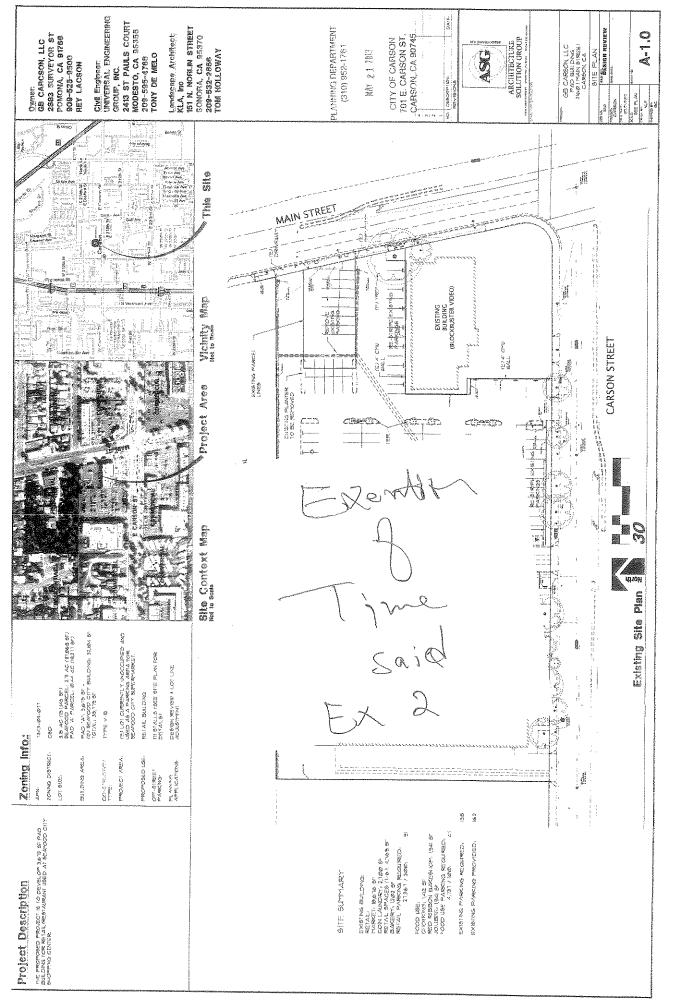


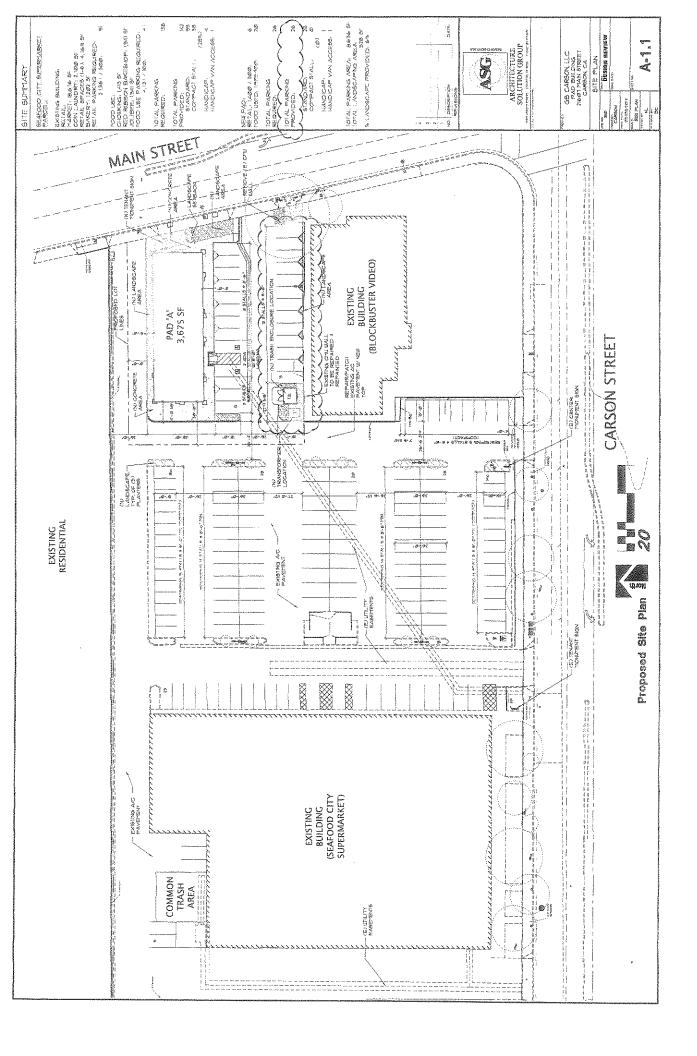
- 55. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
- 56. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
- 57. Streets abutting the development, with new utility trench cuts to serve the development, shall be reconstructed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer.
- 58. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCad format to the Engineering Services Division.
- 59. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

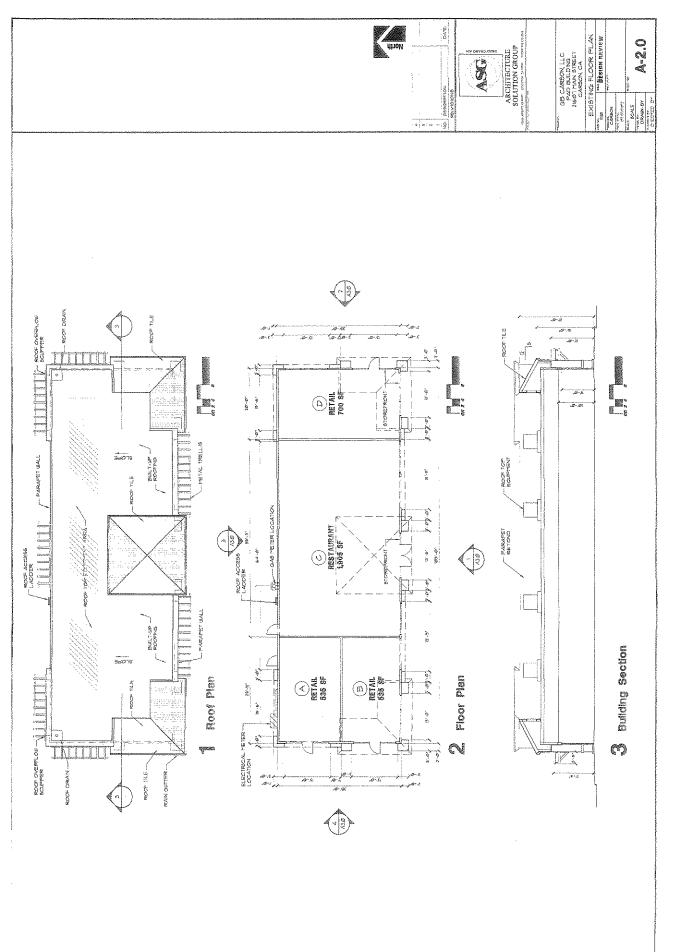
BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

40. 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.

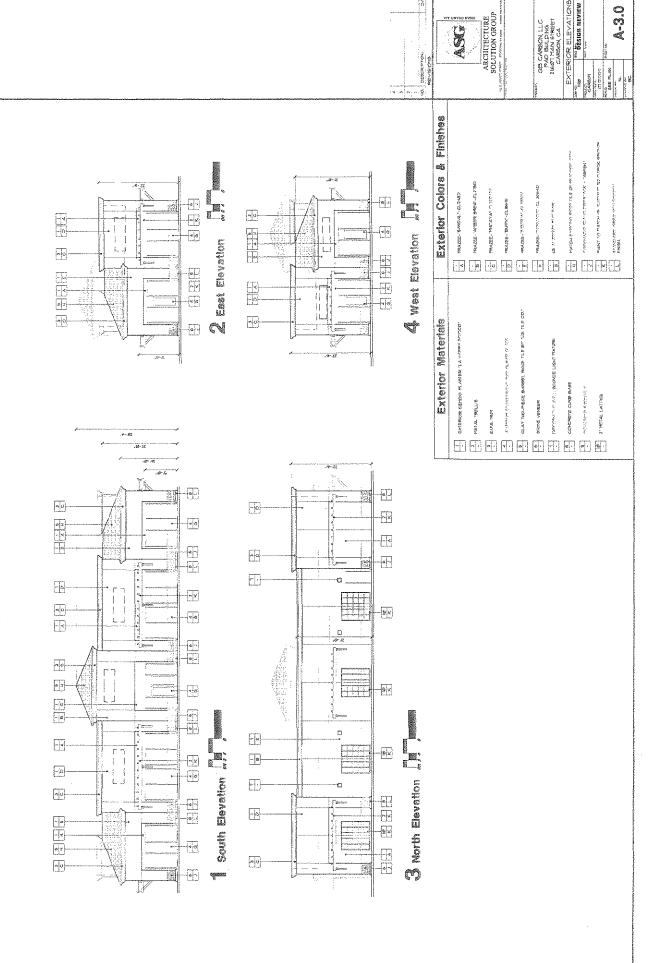
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