



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

Public Hearing:

January 14, 2014

SUBJECT:

Extension of Time Request for Design Overlay  
Review No. 1437-11, Conditional Use Permit Nos.  
872-11/887-11 and Variance Nos. 525-11/526-11.

APPLICANT:

Garrett Harper  
3553 Atlantic Avenue # 2  
Long Beach, California 90807

REQUEST:

One-year time extension

PROPERTY INVOLVED:

21212 S. Alameda Street

---

#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

Item No. 11-A

## I. Introduction

### *Property Owner/Property Applicant*

Garrett Harper, 3553 Atlantic Avenue # 2, Long Beach, CA 90807

### *Project Address*

21212 S. Alameda Street, Carson, CA 90745

### *Project Description*

The proposed project is for a self-service car wash and a 1,233-square-foot convenience store with alcohol sales located in the ML (Light Manufacturing) zoning district.

## Background

On January 10, 2011, the Planning Commission approved Resolution No. 12-2420, approving DOR No. 1437-11 and CUP Nos. 872-11 and 887-11 to construct a 3-stall self-service carwash and a convenience market selling beer and wine in the ML zoning district, and Variance Nos. 525-11/526-11 for reduction in street frontage and lot size.

Carson Municipal Code Section 9172.21, Conditional Use Permit, (H. Expiration of Permit, 2. Extension), states that extensions shall not be granted for more than a total of one (1) year unless a public hearing is held. On January 22, 2013, the Planning Commission approved a one-year time extension request for stated zoning entitlements, therefore, this request for an additional one-year time extension is set for public hearing per CMC requirements.

The property owner is requesting a one-year time extension to allow more time to obtain necessary financing to commence and complete the subject project. The property owner is representing that he has every intention of moving forward with this project but needs the additional time to facilitate the project's development.

## Exhibits:

1. Letter from property owner dated December 17, 2013
2. Planning Commission Resolution No. 12-2420

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

Zak Gonzalez II, Associate Planner

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

John F. Signo, AICP, Senior Planner

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

Sheri Repp, Planning Officer

# ROCKET OIL INC

3553 ATLANTIC AVE #2

LONG BEACH CA 90807

To whom it may concern:

Design Overlay No: 1437-11

CUP Nos: 872-11, 887-11 & Variance Nos: 525-11/526-11, *DOR No. 1437-11*

Let me start by thanking you for your patience concerning the project at 21212 Alameda Street in Carson. This is a project that we are very excited about and have every intention of moving forward with.

Please extend CUP numbers 872-11/887-11 and Variance Numbers: 525-11/526-11 to January 14, 2015 for the following reasons: *DOR No. 1437-11*

There are 2 situations that are holding up our progress with the project. The first being a transition of ownership and management with Rocket Oil. Due to a retirement of the current president and the passing of the business down to the next generation, there have been many things that have had to be fixed or properly managed and this has caused more time consumption with the company. As these loose ends are tied up, there is becoming more and more time available to concentrate on newer projects like the one at 21212 Alameda. This is our focus and it is also our desire to continue expanding as well as provide a locale for local residents to shop and commune.

The other situation that is holding us up is a gas station project that is very near completion in Long Beach and has been an ongoing struggle due to street closures cutting off access to the new gas station. This had caused Rocket Oil to hold off on finishing the project in Long Beach due to the worry of decreased income and cash flow due customers not being able to access the gas station. This is a project that is in the final stages of completion and once finished will provide us the opportunity to concentrate on the project at 21212 Alameda St in Carson.

Once again, we would like to thank you for your patience with us as well as your understanding as to the standstill resulting from the situations above.

Have a great day!!!



*GARRETT HARPER*

EXHIBIT NO. 01



RECEIVED  
2013 DEC 17 PM 3:55  
ENGINEERING SERVICES  
CITY OF CARSON

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 12-2420**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1437-11, CONDITIONAL USE PERMIT NOS. 872-11 AND 887-11 AND VARIANCE NOS. 525-11 AND 526-11 FOR A SELF-SERVICE AUTOMOBILE LAUNDRY AND A CONVENIENCE MARKET WITH BEER AND WINE SALES TO BE LOCATED AT 21212 S. ALAMEDA 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, Garrett Harper, with respect to real property located at 21212 S. Alameda Street, and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review No. 1437-11, Conditional Use Permit (CUP) Nos. 872-11 and 887-11, and Variance (VAR) Nos. 525-11 and 526-11 to construct a self-service automobile laundry (carwash) and a 1,233-square-foot convenience market with beer and wine sales in the ML-D (Light Manufacturing, Design Overlay) zoning district. The proposal does not include retail sale of gasoline. The variance requests are for construction of a self-service automobile laundry on a property with less than 15,000 square feet of net lot area and with less than 100 feet of frontage along Van Buren Street as required by Section 9138.13(C) of the Carson Municipal Code (CMC).

A public hearing was duly held on January 10, 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.

**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 proposed use is compatible with the General Plan land use designation for the property of Light Industrial. The proposed self-service carwash and convenience market will be consistent with the surrounding commercial and light industrial uses, and compatible with the residential neighborhood to the east. Thus, the proposed use is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development with approval of the variance requests. The proposed project is compatible with the surrounding



light industrial and residential uses. The site is 11,883 square feet, relatively flat, and is located in a commercial and light industrial area.

- d) The proposed project provides 6 parking spaces and meets and exceeds the requirements of Section No. 9162.21(C), commercial parking, of the Carson Municipal Code (CMC). Pursuant to Section 9191.246, floor area devoted to parking and maneuvering shall not be included for the purpose of computing required parking area. The city Traffic Engineer has reviewed the proposed site plan and has determined that circulation and parking on the site and on the adjacent public streets will not be adversely impacted. Safety and convenience of vehicular and pedestrian access are provided.
- e) All future building signs will comply with CMC signage requirements.
- f) The applicant requests a variance from Section 9138.13(C) of the CMC, which requires self-service automotive laundries without petroleum sales to have a minimum street frontage of 100 feet on each abutting street and requires a minimum 15,000 square feet of net lot area. Pursuant to Section 9172.22 of the CMC, variance requests shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives the property of privileges enjoyed by other property in the vicinity and identical zoning classification. The subject site has approximately 166 feet of street frontage on Alameda Street and approximately 73 feet of street frontage along Van Buren Street. The subject parcel is within the Carson Consolidated Redevelopment Project Area. Between Dominguez Street and Carson Street all parcels have a 73-foot property depth creating a physical hardship and impediment for development of said properties, thus making it difficult to improve these properties from their blighted conditions. Therefore, there is a special circumstance associated with the subject property that supports the variance requests. Furthermore, the city has granted similar variance requests for other carwashes and the subject request would not be dissimilar to those other approvals.
- g) The proposed CUP and VAR applications for the self-service carwash and convenience market meet the goals and objectives of the General Plan and the Carson Consolidated Redevelopment Plan by removing existing blighted conditions and are consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21 (D), Conditional Use Permit, and Section 9172.22, Variance, can be made in the affirmative.

**Section 4.** The Planning Commission further finds that the proposed project will not have a significant effect on the environment. The proposed use will not alter the predominantly residential character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15332 "In-Fill Development Projects" of the CEQA (California Environmental Quality Act) Guidelines.




**Section 5.** Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1437-11, and Conditional Use Permit Nos. 872-11 and 887-11 and Variance Nos. 525-11 and 526-11 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 to the adoption of the 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 10<sup>TH</sup> DAY OF JANUARY 2012**

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

**ATTEST:**

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



**"EXHIBIT A"**

**Legal Description:**

Tract No. 7644 EX OF ST LOTS 1663, 1664, 1665, 1666 & 1667

APN:

7308-012-014



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**DESIGN OVERLAY REVIEW NO. 1437-11**  
**CONDITIONAL USE PERMIT NOS. 872-11 AND 887-11**  
**VARIANCE NOS. 525-11 AND 526-11**

**GENERAL CONDITIONS**

1. If a building permit for Design Overlay Review No. 1437-11, Conditional Use Permit Nos. 872-11 and 887-11, and Variance Nos. 525-11 and 526-11 is 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 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 and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. 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.
6. 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.





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. 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. 1437-11, Conditional Use Permit Nos. 872-11 and 887-11, and Variance Nos. 525-11 and 526-11. 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.

#### AESTHETICS/ PRIVACY INTRUSION/SIGNAGE/SAFETY

9. The applicant shall submit a landscape and irrigation plan to the Planning Division prior to issuance of a building permit. The applicant shall maintain all landscaping with an automatic irrigation system.
10. Prior to certificate of occupancy, the applicant shall provide landscaping with trees and shrubs and an automatic irrigation system along each property street frontage within the proposed landscape setback areas to the satisfaction of the Planning Division.
11. The applicant shall obtain a sign permit for all future building or lot signage in compliance with the Carson Municipal Code (CMC) sign requirements.
12. The applicant shall built a continuous 14-foot-high noise attenuation wall along the rear property line with a 10 foot setback from the Van Buren Street sidewalk southern alignment to the satisfaction of the City Engineer, Planning Division and City Building Official.
13. The applicant shall plant vines and trees to visually soften the required 14-foot-high noise attenuation wall and the car wash structure wall facing Alameda Street.
14. The applicant shall provide a 24-hour video monitoring system that is linked with the LA County Sheriff Office video monitoring links to deter crime and nuisance activity. Video monitoring system installation to be coordinated with the Sheriff's office.
15. The applicant shall provide wall signage that states no alcohol drinking or loitering allowed in parking lot and carwash area or in the alley behind the convenience market. Said signage to have lighting directed at the signs for night visibility by the public.



16. The applicant shall post signs for the carwash and the convenience market specifying the hours of operation between 7:00 a.m. and 9:00 p.m. as per CMC Section 9147.3 (Hours of Operation).

#### ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

17. 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.
18. 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.
19. On-site flatwork (e.g. base, paving, curb and gutters) are subject to inspection by Public Works Inspectors. Permit shall be obtained from City of Carson Engineering Services.
20. Any existing off-site improvements damaged during construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
21. A construction permit is required for any work to be done in the public right-of-way.

*Prior to issuance of **Building Permit**, the proposed development is subject to the following:*

22. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a copy of approved Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
23. 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.
24. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
  - a. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
25. 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.
26. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.



27. 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. Sewer Main Improvements (if any) along Alameda Street as determined by the aforementioned sewer area study.
  - b. Storm Drain Improvements (if any) along Alameda Street as determined by the aforementioned requirement.
28. 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.
29. Proof of Worker's Compensation and Liability Insurance.
30. Additional Right-of-Way is required beyond the existing right-of-way line. Dedicate 5-ft of additional right-of-way abutting the development along Van Buren Street. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Records Office. All documents shall be approved and ready for recordation prior to issuance of Building Permits.
31. 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.
- Street Improvements (if any) along Alameda and Van Buren Streets
  - Alley Improvements (if any)
  - Sewer Main Improvements (if any) along Alameda and Van Buren Streets as determined by the aforementioned sewer area study
  - Storm Drain Improvements (if any) along Alameda and Van Buren Streets as determined by the aforementioned requirement

Prior to issuance of **Certificate of Occupancy**, the proposed development is subject to the following:

32. 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.
33. Repair any broken or raised sidewalk, curb and gutter along Alameda and Van Buren Streets within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.



34. The Developer shall fill in any missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
35. Remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
36. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
37. The developer shall construct new 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.
38. If necessary, modify existing wheelchair ramp at the corner of Alameda and Van Buren Streets per City of Carson Standard, in compliance with ADA requirements.
39. Plant approved parkway trees on locations where trees in the public right of way along Alameda and Van Buren Streets are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
40. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Alameda and Van Buren Streets.
41. Install streetlights on concrete poles with underground wiring along Alameda Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
42. All new utility lines, servicing the proposed development abutting the proposed development shall be underground to the satisfaction of the City Engineer.
43. 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.
44. Install striping and pavement legend per City of Carson standard.
45. Paint Curbs Red along Alameda and Van Buren streets within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
46. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
47. 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.
48. 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.
49. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
50. 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.
51. 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

52. 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.

