



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: August 12, 2014

SUBJECT: Design Overlay Review No. 1456-12 and
Variance No. 550-14

APPLICANT: Tadaka Fujima
56 Greenmoor Avenue
Irvine, CA 92614

REQUEST: To approve construction of a two-story, 2,340-square-foot office building and reduce the required off-street parking from eight to seven spaces located within the ML-D (Manufacturing Light-Design Overlay) zoning district

PROPERTY INVOLVED: 20912 S. Main Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Piñon			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Goolsby			

I. Introduction

Property Owner/Applicant

Tadaka Fujima, 56 Greenmoor Avenue, Irvine, CA 92614
tadfujima@gmail.com

Project Address

20912 S. Main Street, Carson, CA 90745

Project Description

The applicant requests approval of Design Overlay Review No. 1456-12 to construct a new two-story, 3,200-square-foot office building; and Variance No. 540-13 to deviate from Carson Municipal Code (CMC) Section 9162.21 (Required Parking Spaces) by reducing the off-street parking requirement from eight (8) parking spaces to seven (7) parking spaces as a result of a limited lot size.

The proposed office building is designed with stucco and stone veneer. Decorative cornices, window treatments (foam trim) and scored lines enhances the overall appearance of the proposed structure. The landscape areas located within the front yard setback and along the southern property line consists of colorful, drought tolerant trees and shrubs which provides an aesthetically pleasing appearance. The second story cantilevers about eight feet over the 25-foot-wide driveway providing safe ingress and egress to the subject property.

Property Owner/Applicant

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Irvine, CA 92614
tadfujima@gmail.com

Project Address

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II. Background

Use of Property

The project site is a 5,704-square-foot vacant parcel (APN 7336-017-035) located between Torrance Boulevard and Dominguez Street.

Previously Approved Discretionary Permits

On April 12, 2012, Variance No. 527-12 was submitted to the Planning Division requesting to reduce the front yard setback from twenty-five feet to seven and one-half feet for a proposed automobile storage use. On May 9, 2012, the property owner withdrew the variance request due to challenging design standards for a restrictive lot size.

Public Safety Issues

There is no open code enforcement case for the subject property.

III. Analysis

Location/Site Characteristics/Existing Development

The subject property is an unpaved, vacant parcel located at 20912 S. Main Street. The property is rectangular-shaped with dilapidated fencing along the property lines and improved landscape within the front yard setback.

Auto repair, industrial and residential uses are located to the north of the subject site and to the south are industrial and auto repair uses. A large 14-acre vacant property is located to the west across Main Street and single-family dwellings built predominantly in the mid-twentieth century are located to the east.

Zoning/General Plan Designation

The subject property is zoned ML-D (Manufacturing, Light – Design Overlay) with a General Plan designation of Light Industrial. The properties to the north are zoned ML-D-RS and ML-D and properties to the south are also zoned ML-D. The large properties west of the subject site across Main Street are within SP-3 (Specific Plan No. 3 – Carson Town Center) zone and to the east are residential properties zoned RS (Residential, Single-Family). The surrounding properties predominantly have a General Plan designation of Light Industrial except for the adjacent homes to the east which have a General Plan designation of Low Density Residential.

Applicable Zoning Ordinance Regulations

The proposed office building is subject to the approval of a development plan in accordance with the Site Plan and Design Review (DOR) procedures as provided in Sections 9172.23. The proposed 2,340-square-foot two-story, office building will have a cantilevered office area over the proposed driveway which leads to the parking area in the rear of the property.

The proposed parking and site access areas have been reviewed by the Traffic Engineer and were deemed as acceptable and in compliance. Pursuant to code, eight (8) off-street parking spaces are required for a 2,340-square-foot office building. However, seven (7) off-street parking spaces are proposed which do not comply with CMC Section 9162.21 (Required Parking Spaces). Although the required off-street parking is deficient by one (1) parking space, staff supports a variance for reduced parking due to the restrictive size of the parcel.

Design Overlay Review No. 1456-12

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
2. 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.
3. Convenience and safety of circulation for pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

The findings can be made in the affirmative pursuant to Section 9172.23 and 9172.22 of the Carson Municipal Code (CMC) and recommends the Planning Commission approve DOR No. 1456-12 and VAR No. 550-14. The proposed design of the building enhances the vicinity and supports the Main Street Connection effort to bring underutilized and non-compliant properties in compliance with the code. The property is located within an area that is seeing improvement due to new businesses and proposed development. The proposed development provides substantial change to the property and subject to provision of adequate landscape and other improvements will provide greater compatibility with the surrounding area. Access, circulation and parking are adequate.

Further details can be found in the attached Resolution.

Variance No. 550-14

Required Findings: Variance

Pursuant to Section 9172.22, Variance, the Planning Commission may approve a variance only when the following finding can be made in the affirmative:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The applicant requests a variance from CMC Section 9162.21 (Parking Spaces Required) that requires one parking space for each 300 square feet of gross floor office area resulting in eight (8) required off-street parking spaces. The applicant requests a variance to reduce the required off-street parking from eight (8) to seven (7) parking spaces located at the subject property. The applicant has stated that the unique circumstances of the size of the property will cause a hardship to the business upon strict application of the code. The limited 5,704-square-foot lot size is comparable to a single-family residential use and not an industrial or commercial use. Due to the challenging lot size, staff believes the applicant has provided sufficient parking to support the proposed office use. There are other properties along the Main Street Connection that have legal non-conforming off-street parking. As such, the strict application of Section 9162.21 deprives the subject property of privileges enjoyed by other properties within the vicinity and under identical zoning classification.

IV. Environmental Review

Pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA), the proposed project to construct a new, two-story office building reasonably falls within this exemption category because the building is less than 2,500 square feet and no foreseeable significant impacts would result.

V. Recommendation


That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolutions; and
- **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1456-12 FOR A NEW, TWO-STORY OFFICE BUILDING AND VARIANCE NO. 550-14 TO REDUCE THE REQUIRED OFF-STREET PARKING FROM EIGHT TO SEVEN PARKING SPACES FOR A PROPERTY LOCATED AT 20912 S. MAIN STREET."

VI. Exhibits

1. Draft Resolution
2. Site Map
3. Development Plans under separate cover

Prepared by:


McKina Alexander, Planning Technician II

Reviewed and Approved by:


John F. Signo, AICP, Acting Planning Manager

**CITY OF CARSON
PLANNING COMMISSION**

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING DESIGN OVERLAY
REVIEW NO. 1456-12 FOR A NEW, TWO-STORY OFFICE
BUILDING AND VARIANCE NO. 550-14 TO REDUCE THE
REQUIRED OFF-STREET PARKING FROM EIGHT TO
SEVEN PARKING SPACES FOR A PROPERTY LOCATED
AT 20912 S. MAIN 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 Tadaka Fujima with respect to real property located at 20912 S. Main Street and described in Exhibit "A" attached hereto requesting approval of Design Overlay Review No. 1541-14 to construct a 2,340-square-foot, two-story office building and Variance No. 550-14 for reduction of the required parking spaces on a vacant lot within the ML-D (Manufacturing, Light – Design Overlay) zoning district.

Section 2. A public hearing was duly held on August 12, 2014, at Carson City Hall, 701 East Carson Street, Carson, California. A notice of the time, place, and purpose of the aforesaid meeting was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at said hearing.

Section 3. The Planning Commission finds that:

- a) The proposed project is consistent with the General Plan of the City of Carson. The 5,704-square-foot vacant lot has a General Plan Land Use designation of Light Industrial and is compatible with the surrounding areas.
- b) The proposed project is consistent with the General Plan goals and policies for light industrial use. The subject property is located on Main Street an arterial street within proximity to the 110 and 405 Freeways resulting in adequate capacity to handle traffic levels from the proposed office use.
- c) The proposed project consists of a new two-story office building with a cantilevered space above the driveway. The proposed development plans comply with the Carson Municipal Code requirements ensuring that the project is well designed and aesthetically pleasing to the surrounding physical environment.
- d) The proposed project adequately accommodates safe circulation for pedestrians and vehicles.

EXHIBIT NO. 01



- e) The 25-foot-wide driveway provides access to the rear parking area for employees and company service vehicles. On-site customer parking shall be a limited use.
- f) The proposed wall signage will be individual channel letters subject to review by the Planning Division under separate permit pursuant to code.
- g) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.
- h) The applicant requests a variance from Section 9162.21 which requires one parking space for each 300 square feet of gross floor office area resulting in eight (8) required off-street parking spaces for the 2,340-square-foot office building. The applicant requests a variance to reduce the required off-street parking to seven (7) spaces due to the unique circumstance of the size of the property that will cause a hardship if strict application of the code is administered. The limited 5,704-square-foot lot size is comparable to a single-family residential use and not an industrial or commercial use. Due to the challenging lot size, the proposed seven off-street parking spaces will be adequate.
- i) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review", and Section 9172.22 "Variance" Approval Authority and Findings and Decision", can be made in the affirmative.

Section 4. Pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines the project is categorical exempt. The proposed project reasonably falls within this exemption category because the proposed building is less than 2,500 square feet and no foreseeable significant impacts would result. As such, the Planning Commission hereby approves the Categorical Exemption.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1456-12 for construction of a 2,340-square-foot, two-story office building, and Variance No. 550-14 for reduction of the required off-street parking for the property described in Exhibit "A".

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

PASSED, APPROVED AND ADOPTED THIS 12TH DAY OF AUGUST, 2014.

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

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

The West 125 feet of Lot 26 of Tract No. 5927, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 64, Page 58 of Maps, in the Office of the County Recorder of said County.

Except all right to explore for and remove the same and the exclusive right to drill into and through the subsurface and the exclusive right to maintain shafts, pipes and other means of connection to explore for and remove like substances in other areas in and through the subsurface of said real property, without the right of surface entry, as provided in deed recorded February 19, 1982 as Instrument No. 82-179905 of Official Records.

Assessor's Parcel Number: 7336-017-032

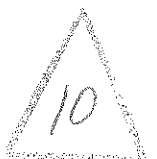
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CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1456-12
VARIANCE NO. 550-14

GENERAL CONDITIONS

1. If a business license permit for said use is not issued within one year of the date of approval of Design Overlay Review No. 1456-12 and Variance No. 550-14 said permits shall be declared null and void unless an extension of time is requested prior to expiration and 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 minor revisions shall be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.
5. 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.
6. 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.



7. 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.
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. 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.
10. Landscape and irrigations plans shall be submitted for Planning Division approval.
11. Landscape shall comply with Division 8 Water Efficient Landscaping standards.
12. The owner/applicant shall comply with all LA County Fire Department emergency vehicle safety access and fire flow/fire hydrant location requirements.
13. The owner/applicant shall submit for a separate sign permit for Planning Division approval if a business sign is proposed.
14. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
15. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
16. 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1456-12 and Variance No. 550-14.



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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant

PARKING

17. All areas used for movement, parking, loading, or storage of vehicles shall be paved and in compliance with Section 9162.0 of the Zoning Ordinance.
18. All driveways shall remain clear. No encroachment into driveways shall be permitted.
19. Seven off-street parking spaces shall be provided on-site consisting of one ADA van-accessible and 6 standard size parking stalls.

AESTHETICS

20. Decorative architectural features and compliant landscape shall be provided pursuant to the approved development plans.
21. Graffiti shall be removed from all areas within 3 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.).

FENCES/WALLS

22. Existing and proposed fences and walls shall be permitted, repaired and constructed subject to inspection and approval pursuant to all applicable Los Angeles County Building and Safety Division standards and Planning Division.

23. A new block wall shall be placed on the subject properties east property line adjacent to the residential properties boundaries, and new wrought iron fences along the north and south property lines up to 6'-6" from the front property line so to not obscure line of vision. Placement of the proposed wall and wrought iron fences are as described in a legally devised survey conducted by a professional land surveyor licensed by the State of California.
24. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 of the Zoning Ordinance. Forty-two inches is the maximum height for fences, walls, and hedges located within the twenty-five-foot front yard setback.

LIGHTING

25. Shall provide adequate lighting for the parking areas.
26. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9127.1 of the Zoning Ordinance.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

Prior to Issuance of Building Permit:

27. Prior to issuance of grading permit, obtain clearance from the Engineering Department.
28. Submit a copy of approved grading plans on bond paper prior to issuance of grading permits.
29. Submit a copy of an approved plans (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*) prior to issuance of construction permits.
30. 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.
31. A construction permit is required for any work to be done in the public right-of-way.
32. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services.
33. Submit Proof of Worker's Compensation and Liability Insurance.
34. Submit drainage/grading plans prepared by a registered civil engineer to the satisfaction by the Los Angeles County Department of Public Works.

35. 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.
36. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
37. 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.
38. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
39. Submit improvement plans 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 submitted.
40. Off-site improvements (e.g. driveways, sidewalk, parkway drains, trees, curb/gutter) shall be shown on the grading plan.
41. All existing overhead utility lines less than 12 kilovolts shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineers' discretion, the City may accept an 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.

Prior to issuance of Certificate of Occupancy

42. At the time of issuance of the certificate of occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored on a CD in AutoCad format to the Engineering Services Division.
43. 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.

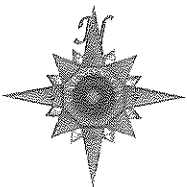
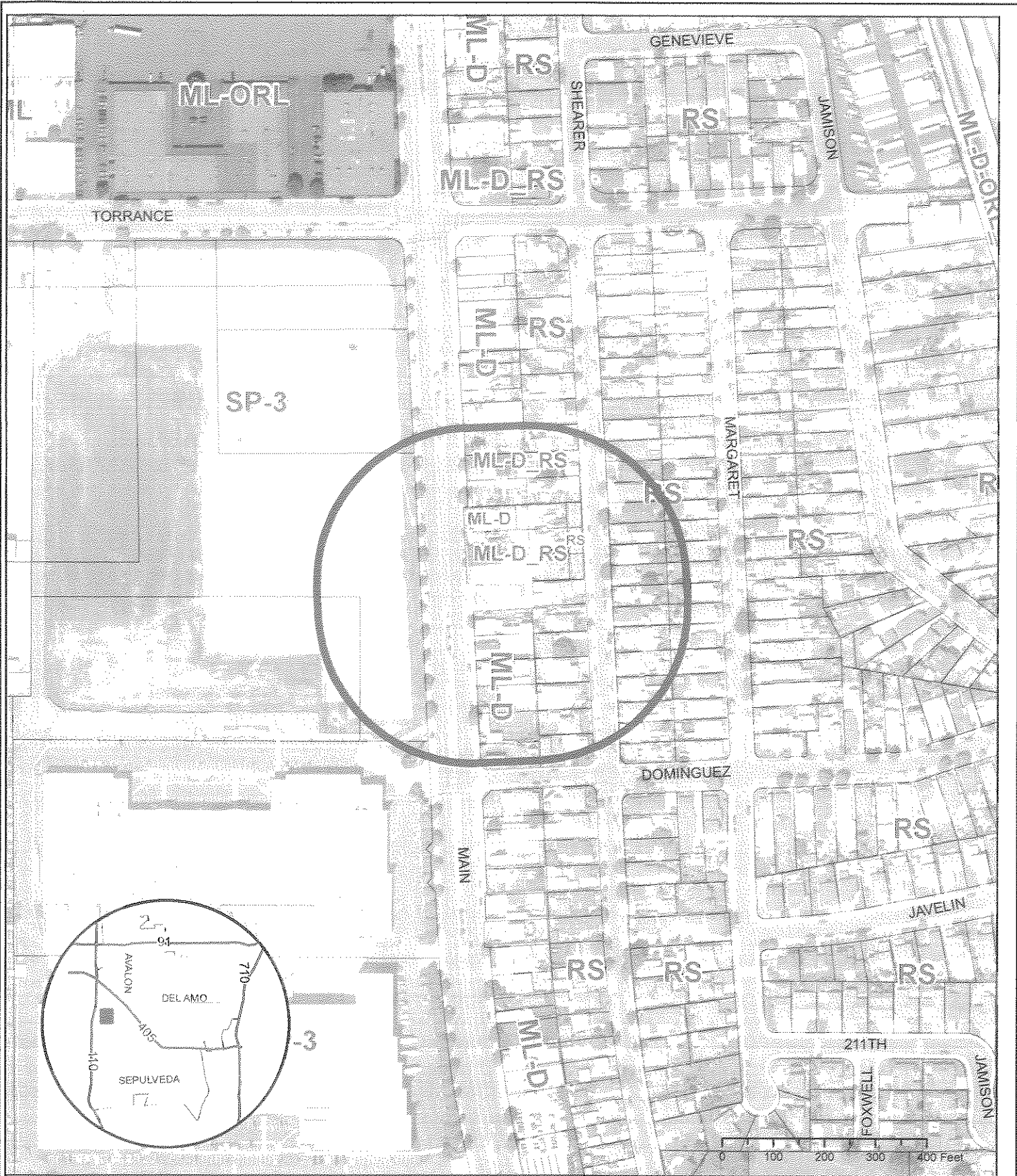
44. Comply with all requirements from the L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
45. Execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements of the development and that water service will be provided to each building.
46. Comply with mitigation measures recommended by the water purveyor.
47. Construct and guarantee the construction of all required drainage infrastructures in accordance with the requirement 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. Remove and replace any broken/damaged driveway approach 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.
51. Modify existing driveways within the public right of way along Main Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
52. 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.
53. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right-of-way along Main Street abutting this proposed development.
54. Install streetlights on concrete poles with underground wiring in the public right-of-way along Main Street abutting this proposed development to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works. Contact Jeff Chow in the LACDPW Traffic Lighting Division at 526-300-4753.
55. Install striping and pavement legend per City of Carson standard.

56. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, constructions, 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 slurry sealed from curb-to-curb or 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).
58. 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

59. Per section 6310 of the Carson Municipal Code, all parties involved in the subject project located at 20912 S. Main Street including but not limited to contractors and subcontractors, will need to obtain a City Business License.





City of Carson
500 Foot Radius Map EXHIBIT NO. 02
20912 S Main St

Date Printed: Wednesday, July 23, 2014
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 Public Hearing Notices\500ftMap.mxd