



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** September 11, 2018

**SUBJECT:** Design Overlay Review (DOR) No. 1701-18 and Conditional Use Permit (CUP) No. 1070-18

**APPLICANT:** Yoomi Baik  
11722 Valley View Avenue #1  
Whittier, Ca 90604

**PROPERTY OWNER:** Theoxenia LLC.  
767 E. Albertoni Street, Carson, CA 90746

**REQUEST:** Consider the approval of Design Overlay Review (DOR) No. 1701-18 for an exterior remodel of an existing Hampton Inn & Suites hotel, and Conditional Use Permit (CUP) No. 1070-18 for the approval of Alcoholic Beverage Control (ABC) License, Type 42 for on-sale beer and wine for public premises

**PROPERTIES INVOLVED:** 767 E. Albertoni Street

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chair Pimentel			Madrigal
		Vice-Chair Thomas			Mitoma
		Andrews			Nunley
		Cainglet			Rahman
		Fe'esago			Alt. Osuna Alt. Palmer Alt. Rashad

Item No. 6A

## **I. Introduction**

### Property Owner

Theoxenia LLC.  
767 E. Albertoni Street  
Carson, Ca 90746

### Applicant

Yoomi Baik  
11722 Valley View Avenue #1  
Whittier, Ca 90604  
(310) 386-2329  
[designelim1270@gmail.com](mailto:designelim1270@gmail.com)

### Project Address

767 E. Albertoni Street  
Carson, Ca 90746

## **II. Project Description**

The applicant requests the approval of Design Overlay Review No. 1701-18 for an exterior remodel of an existing Hampton Inn & Suites hotel, including the removal of the existing mansard roof, addition of decorative stone features, and a new paint scheme. New landscaping will also be included to incorporate more drought tolerant plants, and a new ADA compliant path of travel will be provided from the public sidewalk to the entrance of the hotel.

The applicant also requests the approval of Conditional Use Permit No. 1070-18 for an Alcoholic Beverage Control License, Type 42, for on-sale beer and wine for public premises. Alcoholic beverages will be sold in closed containers in an existing mini-mart located in the hotel lobby. Guests will be allowed to purchase the alcoholic beverages for consumption off the premises of the hotel.

## **III. Project Site and Surrounding Land Uses**

The project site is located in the northern part of the City just south of the 91 Freeway and west of South Avalon Boulevard. The following provides a summary of the site information:

<b>Site Information</b>	
General Plan Land Use	General Commercial
Zone District	Commercial, General Design Overlay (CG-D)
Site Size	48,737 square feet (1.12 acres)
Present Use and Development	Existing Hampton Inn & Suites Hotel
Surrounding Uses/Zoning	North: Light Industrial Zoned ML South: Low Density Zoned RM/ Commercial, General Design Overlay (CG-D). East: Commercial, General Design Overlay (CG-D) West: Commercial, General Design Overlay (CG-D)
Public Street Access	Ingress/Egress: E. Albertoni Street

Public Safety Issues

None

**IV. Analysis**

Use

The property is currently developed with a six-story, 63,618 square-foot Hampton Inn & Suites hotel built in 1989. The hotel accommodates 137 rooms and provides guests with amenities such as a pool, public restrooms, and a treats shop in the lobby and meeting space.

Site Plan

The existing hotel building sits immediately south of the 91 Freeway and is surrounded by Commercial, General and Residential uses. The building square footage and parking areas will not be altered by the proposed remodel.



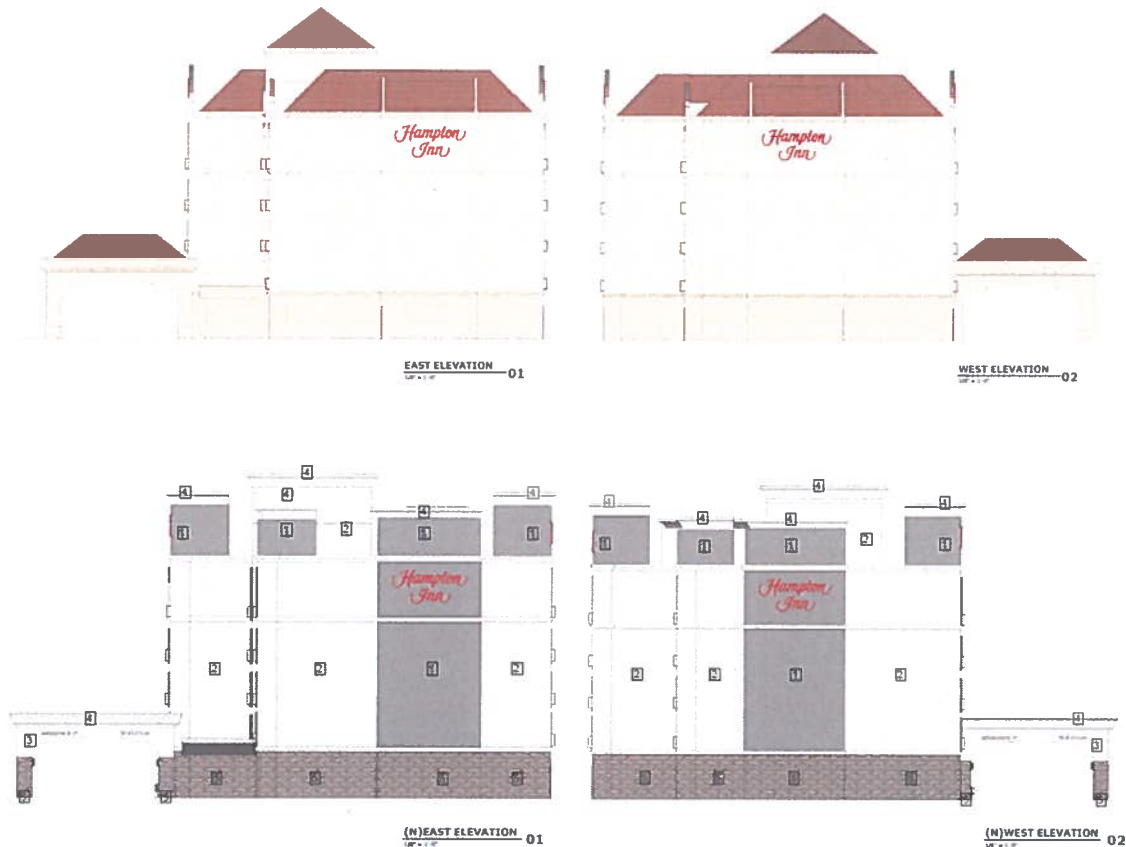
**Building and Architecture**

The proposed project includes several changes to the exterior including a new parapet/cornice roof with new up-lighting, new paint scheme, new stone wainscoting on the primary building and on the carport columns, new drought tolerant landscaping added to the existing landscaping, and new landscaping provided as screening around the pool area. The architectural and decorative features all fall in line with the overall design intentions of enhancing the aesthetics and functionality of the existing property.

**Existing and Proposed – South (Front) & North (Rear) Elevations:**



## Existing and Proposed – West & East:



### Landscaping

The existing site landscaping consists of a variety of trees, shrubs, and lawn. Though the landscaping is well maintained, it is sparse, particularly at the parking lot entrance, and requires landscaping to enhance the overall aesthetics of the property.

Staff has required enhancement of the existing landscaping by incorporating additional drought-tolerant plants in the median located at the parking lot entrance, and the medians between parking stalls throughout the parking lot. Staff has also required additional screening shrubs or vines that are evergreen and are fast-growing to provide screening on the wrought iron fence around the pool area.

### Access and Parking

Access to the site is available via one existing driveway from E. Albertoni Street. In addition, the project site has existing parking stalls and no changes are proposed.

### Alcohol Sales

Hampton Inn & Suites is requesting approval for an Alcoholic Beverage Control, Type 42 license for on-sale beer and wine for public premises. According to the Department of Alcoholic Beverage Control (ABC), Type 42 licenses authorizes the sale of beer and wine only for consumption on or off the premises where it is sold,

and where food service is not required. Additionally, ABC defines public premises as any “premises maintained and operated for the sale and service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold or served to the public as in a bona fide eating place, although food products may be sold or served incidentally to the sale or service of alcoholic beverages.”

Pursuant to Section 9131.1 of the Carson Municipal Code (CMC), alcoholic beverage sales and services are permitted in the Commercial-General zone with the approval of a Conditional Use Permit. More specifically, Hampton Inn & Suites will offer the sales of beer and wine in their existing mini-mart located within the hotel lobby. The CMC defines a mini-mart as “an indoor retail sales establishment for the purpose of selling new merchandise where two (2) or more individual sellers rent, lease or otherwise purchase the right to sell their products. Indoor mini-mart includes businesses conducted in a common room or rooms of a building but does not include businesses conducted in a single tenant commercial building, a multiple tenant commercial building that has separate primary exterior entrances for each tenant, and further, accessory uses such as separate concessionaires, lessees, vendors, and kiosks provided such accessory uses are not the primary use of the building.”

Section 9138.5 of the CMC specifies that the total number of on-sale businesses allowed in the City is 85. Based on an ABC report generated on September 5, 2018, the number of active on-sale businesses currently within the City is only 56. Since the number of active on-sale businesses does not exceed the total number allowed within the City, an on-sale alcohol license is a reasonable request.

#### Development Impact Fees

The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments to pay for impacts of a project on the City's infrastructure. Remodeling of existing buildings are exempt from this proposed fee.

### **V. Zoning and General Plan Consistency**

Hampton Inn & Suites was constructed with a General Plan Land Use designation of General Commercial and it remains consistent with the surrounding Commercial uses.

### **VI. Environmental Review**

The proposed project is exempt to the provisions of the California Environmental Quality Act (CEQA) Guidelines under Categorical Exemption (CE) Section 15301 (a), Class 1 for Existing Facilities.

### **VII. Public Notice**

Public notice was posted to the project site on August 22, 2018. Notices were mailed to property owners and occupants within 500 feet on August 20, 2018. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

## VIII. Recommendation

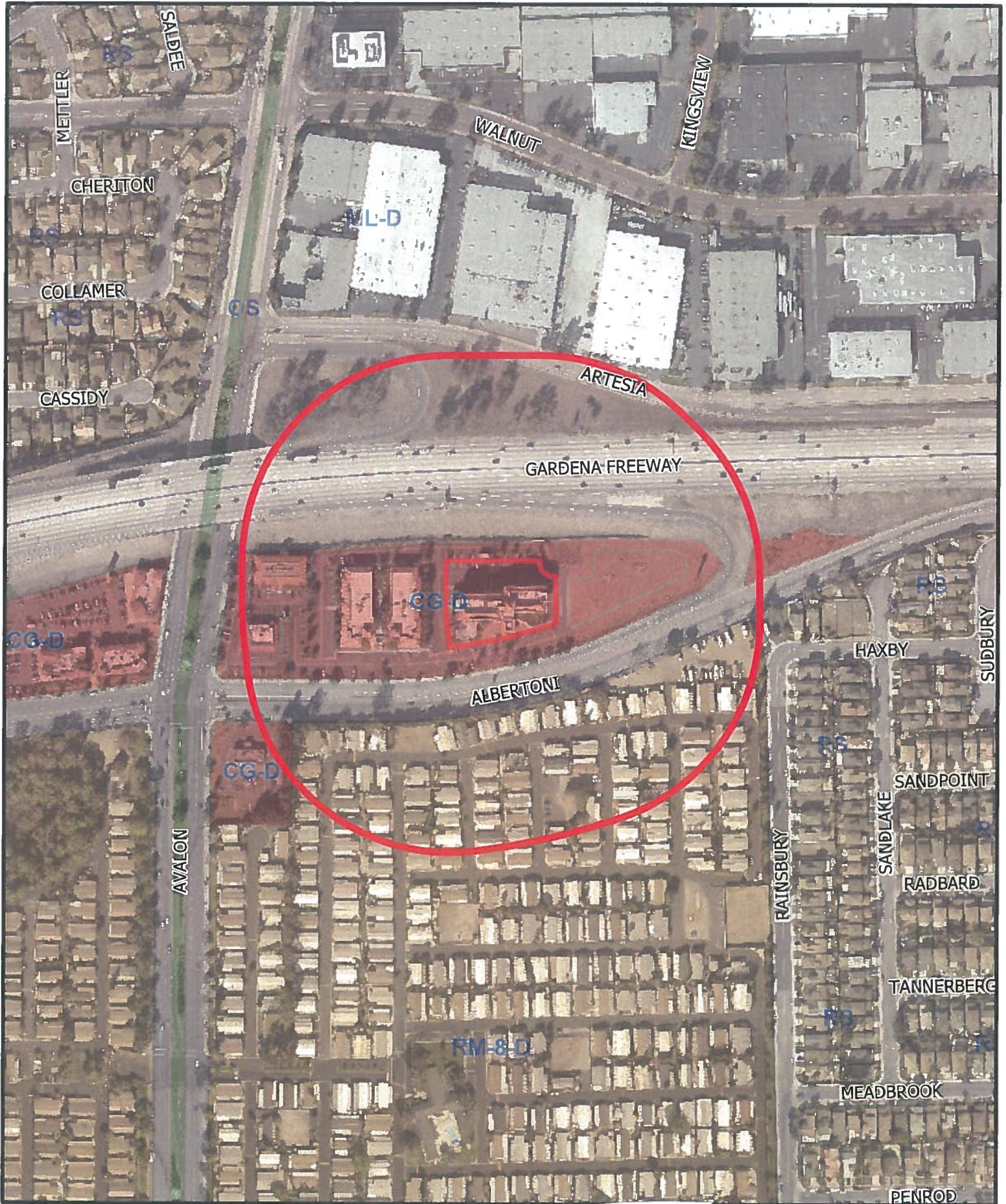
That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **ADOPT** Resolution No. 18-\_\_\_\_, approving Design Overlay Review No. 1701-18 to permit remodeling of an existing Hampton Inn & Suites hotel and to approve Conditional Use Permit No. 1070-18 for the approval of Alcoholic Beverage Control (ABC) License, Type 42, for on-sale beer and wine for public premises for the property located at 767 E. Albertoni Street.

## IX. Exhibits

1. Zoning Map
2. Resolution, Exhibit "A" and Conditions of Approval
3. Development Plans

**Prepared by:** Nancy Mith, Planner



Location Map: 500 foot radius  
767 E. Albertoni Street

Date Printed 8/14/2018



**CITY OF CARSON**

**PLANNING COMMISSION**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1701-18 TO PERMIT REMODELING OF AN EXISTING HAMPTON INN & SUITES HOTEL AND TO APPROVE CONDITIONAL USE PERMIT NO. 1070-18 FOR THE APPROVAL OF ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE, TYPE 42, FOR ON-SALE BEER AND WINE FOR PUBLIC PREMISES FOR THE PROPERTY LOCATED AT 767 E. ALBERTONI 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, Yoomi Baik, on behalf of the property owner, Theoxenia LLC., with respect to real property located at 767 E. Albertoni Street and described in Exhibit "A" attached hereto, requesting approval to permit a proposed building remodel and approval of an Alcoholic Beverage Control, Type 42, license for on-sale beer and wine for public premises for the existing hotel facility located in the CG-D (Commercial, General - Design Review) zone.

**Section 2.** A Planning Commission meeting was duly held on September 11, 2018, 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 3.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 4.** With respect to the Design Overlay Review No. 1701-18, the Planning Commission finds that:

- a) The proposed façade remodel is consistent with the General Plan Land Use Designation of general commercial use. The surrounding area includes residential and commercial uses such as offices and fast food restaurants, and the proposed project will be complementary to the surrounding uses and will be appropriate for the subject property.
- b) The project is compatible in 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, open spaces, and other features relative to a harmonious and attractive development of the area. The remodel will modernize the exterior of the building by replacing the existing building materials and adding new façade elements such as a new parapet/cornice roof, new paint scheme, and new stone wainscoting on the primary building and on the carport columns. Site improvements will include a new walkway connecting the public sidewalk to the main building entrance,

**EXHIBIT NO. 02**



drought tolerant landscaping, new paint scheme on the trash enclosure, and new landscaping around the pool area to provide additional screening.

- c) The proposed façade remodel will not affect the existing off-street parking and will continue to meet the off-street parking requirements. Access to the project site will be provided by one driveway on E. Albertoni Street.
- d) All signage associated with this project will comply with the Carson Municipal Code provisions and will be reviewed and approved by the Planning Division prior to building occupancy.
- e) The proposed façade remodel meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. All of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" can be made in the affirmative.

**Section 4.** Pursuant to CMC Section 9131.1 and Section 9138.5, Conditional Use Permits are required for the issuance of a license to alcohol beverage sales intended for on-sale beer and wine for public premises in a CG zone. Pursuant to Section 9172.21(D), "Conditional Use Permit – Commission Findings and Decision", Section 9138.5, "Alcoholic Beverage Sales and Service", and Section 9133, "Conditional Use Criteria", the Planning Commission finds that:

- a) The proposed use is compatible with the area, in terms of its service to the community, and fits as an incidental use with the intended character of the area. A shopping center to the west across South Avalon Boulevard shares the same Zoning designation of CG (Commercial, General) as the subject property and currently provides on-sale alcoholic beverage sales within a fast food restaurant.
- b) The site is adequate in size, shape, topography, location, and utilities to accommodate the proposed use and development. The property is currently developed with a six-story, 63,618 square-foot Hampton Inn & Suites hotel built in 1989. The hotel accommodates 137 rooms and provides guests with amenities such as a pool, public restrooms, and a treats shop in the lobby and meeting space. The sale of beer and wine will take place in the existing treats shop located in the lobby of the hotel.
- c) There will be adequate street access and traffic capacity. Access to the site is available via one existing driveway from E. Albertoni Street. In addition, the project site has existing parking stalls and no changes are proposed.
- d) There will be adequate water supply for fire protection. There is an existing fire hydrant on the public sidewalk located directly adjacent to the entrance.
- e) There is not an overconcentration of businesses with on-sale alcohol licenses in the City. Section 9138.5 of the CMC specifies that the total number of on-sale businesses allowed in the City is 85. Based on an ABC report generated on September 5, 2018, the number of active on-sale businesses currently within



the City is only 56. Since the number of active on-sale businesses does not exceed the total number allowed within the City, an on-sale license is a reasonable request.

**Section 5.** The Planning Commission further finds that the development permitted by the proposed project will not have a significant effect on the environment. The proposed use will not alter the commercial and residential character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore the proposed project is found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, Section 15301 (a), Class 1 for Existing Facilities.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1701-18 and CUP No. 1070-18, 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 11<sup>TH</sup> DAY OF SEPTEMBER, 2018**

\_\_\_\_\_  
**CHAIRPERSON**

**ATTEST:**

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



## EXHIBIT "A"

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

Lot 5 of Tract No. 43789, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 1094, Pages 82 and 83 of Maps, in the Office of the County Recorder of said County.

Except from said land that portion lying below a depth of 500 feet measured vertically from the surface of said land, as said surface existed on October 25, 1965.

Assessor's Parcel No: 7319-035-015



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

**CONDITIONS OF APPROVAL**

**DESIGN OVERLAY NO. 1701-18 and Conditional Use Permit 1070-18**

**GENERAL CONDITIONS**

1. If a building permit for Design Overlay Review No. 1701-18 and Conditional Use Permit No.1070-18 is not issued within one year of their effective date of approval, 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 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.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. 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.
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. 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.



9. 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.
10. 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.
11. 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.
12. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days, and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
13. Indemnification. The applicant, the owner, tenant(s), and their subsequent successors (Parties) agree to 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 any damage or harm to people or property, real and personal, that may result from the Property Owner(s) operations or any claims against the City for or as a result of the granting of the approval. The City will promptly notify the Parties of any such claim, action, or proceeding against the City, and Parties will pay the City's associated legal costs and will advance funds assessed by the City 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 Parties' 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. Parties shall provide a deposit in the amount of 100% 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 Parties fails to provide or maintain the deposit, the City may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.



## AESTHETICS

14. Exterior building elevations showing building wall materials, roof types, exterior colors and appropriate vertical dimensions shall be included in the development construction drawings.
15. **The applicant shall provide revised elevations for Planning Division's review and approval to add new contrasting base color/material such as stone.**
16. All exterior roof-top mechanical, heating and air conditioning equipment and appurtenances thereof, shall be completely screened from public view by parapet walls that are architecturally treated so as to be consistent with the building. The construction plans shall include appropriate elevations and cross section drawings demonstrating how such equipment is to be screened from public view (include dimensions, materials and colors).
17. Graffiti shall be removed from all areas within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. 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 modification (i.e. fencing, landscaping, chemical treatment, etc.)
18. The proposed project site shall be maintained free of debris, litter and inoperable vehicles at all times. The subject property shall be maintained to present an attractive appearance to the satisfaction of the Planning Division.
19. Prior to Issuance of building permit, the specification of all colors and materials must be submitted and approved by the Planning Division.
20. Plans shall be submitted to the Planning Division to show that the "smoke shelter" will be consistent with the overall building and site design.

## 21. LANDSCAPE/IRRIGATION

22. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
23. Landscaping shall be provided with a permanently installed working, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. The proposed irrigation system shall include best water conservation practices.
25. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
26. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division.

## **LIGHTING**

27. Site lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
28. Exterior lights shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on an adjoining site.
29. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
30. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

## **PARKING**

31. All driveways shall remain clear. No encroachment into driveways shall be permitted.
32. The applicant shall coordinate with the shopping center landlord to provide an electric vehicle (EV) charging station within the shopping center.

## **ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON**

### ***General Conditions***

33. 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.
34. A construction permit is required for any work to be done in the public right-of-way.

### ***Prior to Issuance of Building Permit***

35. 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.
36. 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 permit by Engineering Services.
37. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.
38. 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.

***Prior to Issuance of Certificate of Occupancy***

39. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right-of-way along E. Albertoni Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
40. Security barriers, visual screen barriers, or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5
41. Clearly indicate the height of all parapets in a section view.

**BUSINESS LICENSE**

42. All parties involved in the subject project including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.
43. The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments to pay for impacts of a project on the City's infrastructure. Projects with existing buildings are exempt from this proposed fee. Since this project is proposed within the existing Hampton Inn & Suites building, the project is exempt from DIF.

