

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 24-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1960-24, AND CONDITIONAL USE PERMIT NO. 1121-22 AND 1122-22 FOR A NEW TRUCK TIRE SALE & REPAIR SERVICE SHOP (FREEWAY TIRES), AND BEING LESS THAN 100 FEET FROM A RESIDENTIAL ZONED PROPERTY AT 21212 ALAMEDA STREET

WHEREAS, on September 28, 2022 the Department of Community Development received an application from Jose Duran, on behalf of Freeway Tires Express, Inc. for real property located at 21212 Alameda Street and described in Exhibit “A” attached hereto (the “Property”), requesting approval of Site Plan and Design Review (DOR) 1960-24, and Conditional Use Permit (CUP) No. 1121-22 and 1122-22 for new use of a truck tire sale & repair service shop, and being located less than 100 feet from a residential zoned property.

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 27th of February, 2024, conduct a duly noticed public hearing as required by law to consider said application. Notice of the hearing was originally posted and mailed to property owners and properties within a 750-foot radius of the project site by February 15, 2024.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Planning Commission determines that the facts of this matter are as follows:

1. With respect to the **Site Plan and Design Review No. 1960-24** to permit the development of the proposed project to refurbish an industrial site into a truck tire sale and repair service shop:
 - a) The proposed development is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Light Industrial and the proposed development is compatible with the surrounding uses. There is no applicable specific plan.
 - b) The proposed development 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 building, which is existing and proposed to be refurbished for use as a tire sale & repair service shop, will be a 1,292 square foot one-story building consisting of an office, storage space and one service bay. The design and architecture of the refurbished building will be re-using existing metal panels to be re-painted and used, parking is being placed in the rear setback to further mitigate the operation area away from the residential side, landscaping is being incorporated to bring screening and landscaping to an area that has little to no landscaping, and a CMU block wall included on the rear of the property adjacent to the residential neighborhood, all which are compatible with development in the vicinity. A condition of approval has been included to require the building to be painted a neutral color to be compatible with the nearby residences, to the satisfaction of the Planning Manager.

- c) The project design provides for convenience and safety of circulation for vehicles. The proposed project will provide access via three existing driveways, one along Van Buren St. and two adjacent to Alameda St. Trucks and passenger vehicles will enter the proposed development only from the driveway furthest from Van Buren St. on Alameda St. Trucks will exit the proposed development only from the driveway closest to Van Buren St. on Alameda St. Passenger vehicles will exit the proposed development only from the driveway on Van Buren St. This circulation plan will prevent disruption from trucks trying to exit through the residential street (Van Buren St.) where they may not have adequate space to turn out of the property. Trucks will be prohibited from using Van Buren St. and will be limited to Alameda St., which is a designated truck route. Additionally, a condition of approval has been added to prohibit queuing of trucks on Alameda St. if they are unable to enter the site. With these requirements in place, the City's traffic engineer has determined there will be adequate space for the required truck maneuvering. The proposed development is not anticipated to generate significant additional traffic trips because it will service trucks that will generally already be traveling on Alameda St., which is a major trucking corridor, and because the business that will occupy the proposed development currently operates at the property immediately to the south of the subject property and will relocate to the subject property when the proposed development is complete. The proposed development includes six off-street parking spaces, which exceeds the number required by the Carson Municipal Code (five).
 - d) All future signage associated with this project will comply with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness, and restraint in signing graphics and color.
 - e) The proposed development will be in one phase (i.e., will not be a phased development).
 - f) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review," can be and are made in the affirmative.
2. With respect to the **Conditional Use Permit (CUP) No. 1121-22 and 1122-22** to permit the proposed use of the Property as a truck tire sale and repair service shop:

- a) The proposed use and development is consistent with the General Plan of the City of Carson, including the Property's General Plan Land Use designation of Light Industrial.
- b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development of the truck tire sale and repair service shop.
- c) The proposed use and development will have adequate street access and traffic capacity, and adequate onsite parking, as provided in Section 1(c) above.
- d) There will be adequate water supply for fire protection. The Los Angeles County Fire Department has reviewed the proposed project and concluded that adequate water supply exists to meet current and anticipated fire protection/suppression needs.
- e) The proposed use and development will be compatible with the intended character of the area. The proposed project is within the Light Industrial zoning designation, which conditionally permits automobile/vehicle service and repair uses, subject to the limitations of CMC 9138.14, all of which are met here. The project also located on Alameda St., which is a major trucking route and is a designated truck route in the City of Carson.
- f) The required findings set forth in CMC 9138.14(C) can be and are made in the affirmative with respect to the proposed use and development as conditioned by the Conditions of Approval attached as Exhibit "B." Specifically: (1) the project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood; (2) The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation; (3) Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties; and (4) Lighting is designed to be low-profile, indirect or diffused and to avoid adverse impacts on surrounding uses.
- g) The criteria specified in CMC Sections 9148.8 pertaining to truck-related uses located less than 100 ft from a residential zone are met with respect to the proposed project, as conditioned by the Conditions of Approval attached as Exhibit "B." The proposed use and development, as conditioned, includes development standards designed to mitigate existing and potential noise, dust, fumes, traffic and other adverse environmental impacts affecting neighboring residential areas.

SECTION 3. The project is categorically exempt under Class 1 (Existing Facilities) pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines and Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion. Examples include (a) interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances, and (d) Restoration or rehabilitation of

deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood. The project meets these examples and involves negligible or no expansion of existing or former use.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This project is exempt under Class 3 as it is a conversion of a small structure from one use to another and installation of small new equipment and facilities. The property was previously a gas station and has since been a vacant property until this development was proposed.

No exception to the aforementioned categorical exemption applies under CEQA Guidelines Section 15300.2.

A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

SECTION 4. The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Conditional Use Permit (CUP) No. 1121-22 and 1122-22 and Site Plan and Design Review No. 1960-24 for the proposed use and development of a tire sale & repair service shop located at 21212 Alameda Street, subject to the Conditions of Approval contained in Exhibit “B.”

SECTION 5. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and **ADOPTED** this __ day of February, 2024.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1663, 1664, 1665, 1666, 1667 AND 1668 OF TRACT 7644, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 64 PAGES 47 AND 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE WEST 40 FEET OF LOT 1666, AS PER DOCUMENT RECORDED MAY 5, 1949 AS [INSTRUMENT NO. 2455](#), OF OFFICIAL RECORDS.

[APN: 7308-012-014](#)

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
SITE PLAN AND DESIGN REVIEW NO. 1960-24 AND CONDITIONAL USE PERMIT
NO. 1121-22 AND 1122-22**

I. GENERAL CONDITIONS

1. 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.
2. The applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") 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.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. Any substantial project 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. A modification of these conditions, 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.
7. 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 Developer has been given written notice to cease such violation and has failed to do so for a period of thirty days.
8. Precedence of Conditions. If any of these Conditions of Approval alter a commitment made by the Developer 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.
9. 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.
10. 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 therefor, or work may cease on the Project.

11. Indemnification. The applicant, owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, “Claims”) against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors’ operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees’ associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors’ consent. Indemnitors shall provide a deposit to the City 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 attorneys’ fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

II. AESTHETICS

1. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
 2. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
 3. Graffiti shall be removed from all areas within twenty-four (24) hours 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.).
 4. 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.
 5. The color of the building on the project site shall be repainted to a neutral color to be compatible with the nearby residences, to the satisfaction of the Planning Manager.
-

III. FENCE/WALLS

1. The existing 6' CMU wall at the rear of the property and the 8' high wrought iron fence with sliding access gates on the north and western edge along Van Buren St. and Alameda shall be maintained free from graffiti and painted when necessary.
2. The 8' wrought iron fence shall be repainted to the satisfaction of the City of Carson Planning department for compatibility with the surrounding area.

IV. LANDSCAPE/IRRIGATION

1. Comply with the provisions of Section 9168.1 of the Zoning Ordinance, "Water Efficient Landscaping Ordinance" (MWELo)
2. 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.
3. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
4. The proposed irrigation system shall include best water conservation practices.
5. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
6. 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.

V. LIGHTING

1. Shall provide adequate lighting for the parking areas.
2. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
3. 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.

VI. PARKING

1. All driveways shall remain clear. No encroachment into driveways shall be permitted.
 2. The parking areas will be re-slurry sealed and re-stripped with a new parking configuration that complies with ADA, Fire, and Traffic Engineering standards.
 3. All areas used for movement, parking, loading, or storage of vehicles shall be paved, striped and provided with wheel stops in accordance with Section 9162.0 of the Zoning Ordinance.
-

4. Signs shall be installed at all truck exit driveways on the facility premises directing truck drivers to the approved truck routes pursuant to the Truck Routing Plan, to the satisfaction of the Community Development Director. Only passenger vehicles may exit property from driveway located on Van Buren St.
5. All signs under this Section shall be legible, durable, and weather-proof, to the satisfaction of the Community Development Director.

VII. PAVEMENT

1. Parking lot will be repaved in its entirety.

VIII. TRASH

1. Trash collection shall comply with the requirements of the City's trash collection company.
2. Trash enclosure shall be kept clean and free of excessive odor.

IX. ENGINEERING

1. Trash collection shall comply with the requirements of the City's trash collection company.
2. Trash enclosure shall be kept clean and free of excessive odor.

X. BUSINESS LICENSE

1. All parties involved in the subject project including but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code

XI. CITY OF CARSON PUBLIC WORKS, TRAFFIC

1. No truck queuing will be allowed on Alameda St. Trucks are not allowed to idle on the street if a truck is already being serviced.
 2. Trucks are not allowed to block traffic, back in, oversteer into adjacent lanes, or back out.
-