

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. 1952-23 TO CONSTRUCT A NEW SERVICE BUILDING OF 25,362 SF AND MISCELLANEOUS BUILDINGS FOR CAR DETAILING AND CAR WASHING PURPOSES IN ASSOCIATION WITH AN EXISTING CAR DEALERSHIP.

WHEREAS, on December 6, 2023, the Department of Community Development, Planning Division received an application from Brian Stumph for real property located at 2201 E. 223rd Street (parcel number 731-504-0013) and described in Exhibit “A” attached hereto, requesting approval of Site Plan and Design Review (DOR) No. 1952-23 to construct a new service building of 25,362 sf and miscellaneous buildings for car detailing and car washing purposes in association with an existing car dealership; and

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 twenty-seventh day of February, 2024, conduct a duly noticed public hearing as required by law to consider said Site Plan and Design Review and Conditional Use Permit 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 14, 2024; and

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. With respect to the **Design Overlay Review No. 1952-2023**, the Planning Commission finds as follows:

- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Commercial Automotive District and the proposed buildings associated with an existing car dealership are compatible with uses in the surrounding area which consists of a mixture of logistics and new vehicle dealerships.
- b) The architecture and design of the proposed project are compatible with existing and anticipated development in the vicinity. The project features a modern design and conforms to the site development requirements of the Commercial, Automotive Zone.
- c) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed uses and development. The proposed development will have adequate street access for pedestrians and vehicles, and

adequate capacity for parking and service. The subject project provides two vehicular driveways located on 223rd Street. The proposed project requires 111 parking spaces with 119 provided.

- d) The proposed use and development will be compatible with the intended character of the area. CMC section 9138.15.C.2.b permits vehicle repair and service in conjunction with new vehicle sales, while 9138.15.C.2.e allows vehicle washing and detailing as an accessory use. The project provides a contemporary architectural style and is in harmony with the surrounding area and complements other car dealership uses nearby. The project is compatible in design and scale with existing and anticipated development in the vicinity, consisting of a mixture of new vehicles dealerships and warehouse facilities.
- e) The proposed project meets the development standards required by the municipal code including setbacks, design, landscaping, and, as conditioned.

SECTION 3. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, in-fill-development, which consists of environmentally benign in-fill projects which are consistent with local general plan and zoning requirements. 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. Site Plan and Design Review No. 1952-2023 complies with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Sections 9172.23 (Site Plan and Design Review).

SECTION 5. The Planning Commission of the City of Carson, pursuant to the findings set forth above, does hereby approve Site Plan and Design Review No. 1952-2023 to construct a new service building of 25,362 sf and miscellaneous buildings for car detailing and car washing purposes in association with an existing car dealership, subject to the Conditions of Approval contained in Exhibit B.

SECTION 6. 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 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and **ADOPTED** this 27th day of February 2024.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

The Land referred to herein below is situated in the City of Carson, County of Los Angeles, State of California, and is described as follows:

THAT PORTION OF LOT 5 IN BLOCK "C" OF SUBDIVISION OF A PART OF THE RANCHO SAN PEDRO, (ALSO KNOWN AS DOMINGUEZ COLONY), IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAPS RECORDED IN BOOK 1 PAGES 601 AND 602, AND BOOK 32 PAGES 97 AND 98, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF

SAID COUNTY, BOUNDED AS FOLLOWS:

ON THE NORTH BY THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA AS RECORDED IN BOOK D-748 PAGE 676 OF OFFICIAL RECORDS OF SAID COUNTY, (NOW KNOWN AS THE SAN DIEGO FREEWAY) ON THE SOUTH BY A LINE WHICH IS PARALLEL WITH AND DISTANT NORTHERLY 50 FEET, MEASURED AT RIGHT ANGLE FROM THE CENTERLINE OF 223RD STREET AS SAID CENTERLINE IS SHOWN ON COUNTY SURVEYOR'S MAP NO. B-793, SHEET 2, ON FILE IN THE OFFICE OF THE COUNTY ENGINEER; ON THE WEST BY THE WESTERLY LINE OF SAID LOT 5; AND ON THE EAST BY A LINE WHICH IS AT RIGHT ANGLES TO SAID LAST MENTIONED CENTERLINE, AND PASSES THROUGH A POINT IN SAID CENTERLINE, DISTANT EASTERLY ALONG SAID CENTERLINE 1225.59 FEET FROM THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTHERLY PROLONGATION OF SAID WESTERLY LINE OF LOT 5.

APN: 7315-040-013

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

SITE PLAN AND DESIGN REVIEW NO. 1952-2023,

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. The applicant shall remove the property line dividing the Hyundai and Chevrolet dealerships from the project plans, prior to the issuance of building permits.
 12. Prior to the issuance of building permits, on site customer parking shall be clearly identified on the project plans either by special signage, or paint, subject to the satisfaction of the Community Development Director.
 13. 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.
 14. ***Interim Development Impact Fee:*** In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code (“CMC”), the applicant, property owner, and/or successor to whom these project entitlements are assigned (“Developer”) shall be responsible for payment of one-time interim development impact fees (“IDIF”) at the applicable amounts/rates detailed below for each square foot of commercial development constructed for the project. If the project increases or decreases regarding the square footage constructed, the total IDIF amount will be adjusted accordingly at the applicable rate. Additionally, subject to the review, verification, and approval of the Community Development Director, the applicant *may* be eligible for development impact fee credits for demolition of an existing permitted structure or structures. To be eligible for credits, **prior to demolition**, please make the credit request with James Nguyen at jnguyen@carsonca.gov in the Community Development Department. Awarded fee credits shall reduce the final development impact fee amount and are applied when
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development impact fees are due. Final IDIF rates and amounts are calculated and due prior to issuance of the building permit(s). No building permit shall be issued prior to the full payment of the required IDIF amount, which payment shall be made in one lump sum installment. IDIF amounts/rates are subject to adjustment every July 1st based on State of California Construction Cost Index (Prior March to Current March Adjustment), per CMC Section 11500. IDIF amounts/rates for commercial development have been set at \$6.03 per square foot for Fiscal Year 2023-24, effective July 1, 2023, through June 30, 2024. Based on these rates, the Developer would be responsible for payment of IDIF in the amount of \$152,932.86 for the proposed project, calculated as follows: 25,362 square feet X \$6.03 per square foot = \$152,932.86. However, if the IDIF for the project is not paid by the end of the 2023-24 fiscal year (i.e., by June 30, 2024), a new IDIF rate/amount will apply for the period of July 1, 2024, through June 30, 2025, based on the IDIF rate for Fiscal Year 2024-25, and so on for subsequent fiscal year(s).

Notice of Imposition of Interim Development Impact Fees; Right to Protest

Pursuant to CMC Section 11503, Developer is hereby notified of the IDIF imposed on the project, as described and in the amount stated above. In accordance with Government Code Section 66020, Developer may protest the imposition of the IDIF on the project by complying with the requirements set forth in CMC 11900. Any such protest shall be filed within ninety (90) days after the effective date of the City's approval/conditional approval of the project.

If you have any questions or comments regarding this notice, please contact James Nguyen at jnguyen@carsonca.gov or (310) 952-1700 ext. 1310.

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. 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.

III. LANDSCAPE/IRRIGATION

1. Comply with the provisions of Section 9168.1 (Adoption of Water Efficient Landscape Ordinance) and 9138.14 (Automobile/Vehicle Service) of the Zoning Ordinance.
 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. The proposed irrigation system shall include best water conservation practices.
 4. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
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5. 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.

IV. 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 9137.1 (Exterior Lighting) 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.

V. TRASH

1. A trash enclosure shall be provided on site, at a location approved by the Planning Division.
2. Trash collection shall comply with the requirements of the City's trash collection company.

VI. 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.

VII. BUILDING DIVISION

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
 2. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior permit issuance.
 3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
 4. The building shall be addressed as 2203 E. 223rd Street, and an application to assign unit numbers shall be filed with the City prior to plan check submittal.
 5. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
 6. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
 7. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a. Observation of cleared areas and benches prepared to receive fill;
 - b. Observation of the removal of all unsuitable soils and other materials;
 - c. The approval of soils to be used as fill material;
 - d. Inspection of compaction and placement of fill;
 - e. The testing of compacted fills; and
 - f. The inspection of review of drainage devices.
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8. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by other soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the City, a new Preliminary Soils and/or Geotechnical Investigation.
 9. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
 10. Stormwater Planning Program LID Plan Checklist (MS4-1 FORM) completed by Engineer of Record shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans. The form can be found at the following link <https://www.dropbox.com/scl/fo/up1jbcg2e9sv4i0t6vrp3/CARSON-LID-PLAN-CHECKLIST-MS4-1-FORM.pdf?rlkey=1y5bsf2iladt6mzv56qgyz7cj&dl=0>
 11. All State of California disability access regulations for accessibility shall be complied with.
 12. At least one accessible parking space shall be on the shortest route to the accessible entrance of the service building per Section 11B-208.3.1.
 13. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.
 14. Foundation inspection will not be made until the excavation has been surveyed and the setbacks determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
 15. Separate permit is required for each miscellaneous structure including but not limited to the detailed canopy and carwash tunnel. Unless these miscellaneous structures are designed as one with the service building (or with the existing showroom building) under the provisions of Section 705.3, each structure is subject to the fire-resistance rating requirements for the exterior walls per Section 705.5 and 705.8.
 16. Fire-resistance rating requirements for exterior walls based on fire separation distance of 0 to 30 feet shall comply with Table 705.5 of the Building Code.
 17. Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 0 to 30 feet shall comply with Table 705.8 of the Building Code.
 18. Parts storage room on mezzanine level shall be open and unobstructed to the room in which such mezzanine is located per Section 505.2.3 of the Building Code, unless otherwise qualified for the exceptions under this section. Intermediate level not complying with the mezzanine provisions shall be considered as a story; thus, making the service building a 2-story structure.
 19. Separate application and plan review is required for Electrical plans.
 20. Separate application and plan review is required for Mechanical plans.
 21. Separate application and plan review is required for Plumbing plans.
 22. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
 23. Project shall comply with the CalGreen Non-Residential mandatory requirements.
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24. Because the service building requires at least 9 parking spaces, Electrical Vehicle Charging Station shall be provided per CalGreen Section 5.106.5.3.1 and at one of the EVCS shall comply with accessibility requirements per Section 11B-228.3.
 25. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
 26. Separate permit is required for Fire Sprinklers.
 27. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.
 28. Repair garages shall be constructed in accordance with the California Fire Code and Sections 406.2 and 406.8.
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