



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: August 10, 2010

SUBJECT: Conditional Use Permit Nos. 764-09 to 770-09

APPLICANT: Automotive Repair Services
Representative: Pat Brown
5390 E. 8th Street
Long Beach, CA 90804

REQUEST: Conditional Use Permit approvals to facilitate continued auto repair use for seven businesses on a site located in the CG-D (Commercial General-Design Overlay) zoning district

PROPERTIES INVOLVED: 21839 S. Avalon Boulevard
637 and 645 E. 219th Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Park			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Gordon			

Item No. 11D

I. Introduction

Date Application Received: November 10, 2009

- Conditional Use Permit Nos. 764-09 to 770-09 as follows:
 - CUP No. 764-09: "Smog Testing Only", 21839 Avalon Blvd.
 - CUP No. 765-09: "Francisco's Auto Repair" 637 E. 219th St., Unit 2
 - CUP No. 766-09: "Ed's Auto Repair" 637 E. 219th St., Unit 5
 - CUP No. 767-09: "3 R's Auto Repair" 637 E. 219th St., Units 6 & 7
 - CUP No. 768-09: "Chuy's Auto Interior" 645 E. 219th St., Units 1 & 2
 - CUP No. 769-09: "Oscar's Auto Electric" 645 E. 219th St., Unit 4
 - CUP No. 770-09: "R & J Auto Repair" 645 E. 219th St., Unit 5

Property Owner/Project Applicant

- Yie Ming, Yen Yen, Hong & Francis Hsu, 6888 Lincoln Avenue, Ste. # A, Buena Park, CA 90620

Project Address

- 21839 S. Avalon Boulevard, 637 & 645 E. 219th Street, Carson, CA 90745

Project Description

- Proposed conditional use permits to allow continuation of automotive repair uses. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), which were adopted and amended in 2004, respectively, a conditional use permit is required by November 4, 2009 for any legal nonconforming vehicle service and repair use located within 100 feet of any residential zone. Conditional Use Permit Nos. 764-09 to 770-09 would fulfill that requirement making the use conforming to the CMC.

II. Background

Current Use of Property

- The property is developed with two commercial buildings consisting of approximately 24,000 square feet built in 1964.

Previously Approved Discretionary Permits

- There is no record of discretionary permits approved at the subject site. City Business License Division records indicated continued auto repair uses since 1987.

Public Safety Issues

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement case associated with this property.



On October 5, 2004, City Council passed Ordinance No. 04-1322, which requires a conditional use permit (CUP) for any auto repair use located within 100 feet of a residential zone. A CUP can only be approved by the Planning Commission if certain findings can be made, including providing adequate onsite parking and meeting applicable development standards contained in Section 9138.2. Furthermore, a report must be prepared by the applicant showing that Building, Plumbing, Electrical, and Fire Code deficiencies are eliminated. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas; and
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 21839 S. Avalon Boulevard and 637 & 645 219th Street.
- The subject site consists of two commercial buildings with 24,000 square feet that was built in 1964.
- General commercial uses surround the subject property to the north, east and south with multiple family residential uses to the west.
- The lot area is approximately 48,531 square feet.
- The existing commercial buildings are developed with 50 parking spaces. However, there are substandard areas being used as parking spaces that require vehicles to back up into the driveway approach and sidewalk areas posing traffic hazard with vehicles approaching the parking areas and pedestrians walking on the sidewalks. Staff recommends that bollards be placed in these substandard areas to discourage their use for parking. The existing auto repair buildings consist of seven working service bays, with adjoining office and or storage areas.

The project site is "legal non-conforming" as to parking with the existing 50 parking spaces identified in the submitted site plan. As per CMC Section 9182.41, "Site Development Nonconformities/Nonconformity Requiring Capital Expenditure to Conform", lawfully established site development improvements including but not limited to parking are allowed to continue indefinitely provided no intensification of land use is proposed. The project site is deficient by approximately 18 parking spaces by existing CMC development standards. The subject CUP applications do not propose intensification of land use.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned CG-D (Commercial General-Design Overlay Review). The properties to the north and east are zoned Commercial General. The property to the west is zoned RM-25-D (Residential Multiple Family-25 units per acre-Design Overlay). Property to the south is zoned CG-D (Commercial General-Design Overlay).
- The subject property has a General Plan Land Use designation of General Commercial.

Automotive repair services are provided Monday through Saturday, 8:00 a.m. to 6:00 p.m. There is no oil recycling service offered at this location, however, staff is recommending that the site provide oil recycling service for the public in compliance with the State Conservation Department/Cal-Recycle Program.

Regarding exterior changes to promote compatibility of existing building/structure with surrounding development, staff recommends that the existing Palm tree along 219th Street be replaced with a tree that will not damage the sidewalk, retaining concrete wall or interfere with site drainage. Further, the two commercial buildings separated by the parking area will require repainting and stucco repair.

The parking areas will be re-slurried and parking spaces will be re-stripped. Additionally, all broken driveway approaches shall be replaced with new driveway approaches in compliance with Public Works Division standards. No new signs are proposed, however, staff recommends that the applicant provide new business identification signage on the exterior wall of their unit.

Regarding landscaping enhancement, staff recommends that Leyland Cypress trees be planted on the western property boundary to screen the multiple family apartments from the auto repair use. Further, all trash enclosure areas to be repaired and maintained in compliance to CMC Section 9164.3 "Non-residential Trash Areas".

As required by Ordinance No. 04-1322, the applicant has provided a building inspection report by a certified inspector (Exhibit No. 3). The inspection report identifies potential building, plumbing and electrical deficiencies and recommends repairs in conformance to the State Uniform Building Code. No major code deficiencies were identified. A condition of approval has been included requiring the applicant to address the recommendations and make repairs, including the replacement of the roof.



Applicable Zoning Ordinance Regulations

The proposed CUP's are subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Section 9138.2 (Vehicle Service and Repair).

Required Findings: Conditional Use Permit

Pursuant to Section 9172.21(D), Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21(D) can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern:

- Issue – Aesthetic Improvements: Pursuant to Ordinance No. 04-1322 and CMC Section No. 9138.2(B), Vehicle Service and Repair, the applicant shall provide plans that enhance the architectural character of the existing structure which illustrates compatibility with the surrounding properties.
 - *Mitigation:* The applicant shall install a drip automatic irrigation system with the planting of Leyland Cypress trees along the western property boundary to screen the multiple family apartments from auto repair use.
 - *Mitigation:* The property owner/applicant provided a property inspection report that identifies any plumbing, electrical and building fire code deficiencies that may exist and the proposed plans/requirements to correct any existing or potential deficiencies in compliance with State Uniform Building and Fire Codes.
 - *Mitigation:* The applicant will be required to repaint and or re-stucco the two commercial buildings. The parking areas will be re-slurried, the parking spaces will be re-stripped, and the trash enclosure areas will be repaired to comply with the CMC requirements. Further, all broken driveway approaches will be replaced per CMC requirements and specifications.

- Issue – Parking: The property is legal non-conforming with regard to the number of parking spaces provided for commercial uses and auto repair uses.
 - *Mitigation*: Staff will not recommend approval of future CUP applications which would create additional auto repair tenancies. A condition has been included for each CUP to provide limitations on the amount of parking spaces that can be utilized by the auto repair businesses. The intent is to have each business manage the number of customer vehicles parked on the property.

IV. Environmental Review

Pursuant to Section 15301(e), Existing Facilities, of the California Environmental Quality Act (CEQA), the continued auto repair use does not have the potential to cause a significant effect on the environment and is found to be exempt.

V. Recommendation

That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution Nos. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. _____-09 FOR A CONTINUED AUTO REPAIR USE LOCATED AT [BUSINESS ADDRESS]."

VI. Exhibits

1. Resolution for 21839 Avalon Blvd.
2. Resolution for 637 E. 219th St., Unit 2
3. Resolution for 637 E. 219th St., Unit 5
4. Resolution for 637 E. 219th St., Units 6 & 7
5. Resolution for 645 E. 219th St., Units 1 & 2
6. Resolution for 645 E. 219th St., Unit 4
7. Resolution for 645 E. 219th St., Unit 5
8. Development Plans
9. Property Inspection Reports

Prepared by: _____

Zak Gonzalez II, Planner

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp Loadman, Planning Officer



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 764-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 21839 S. AVALON BOULEVARD**

**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 representative, Pat Brown with respect to real property located at 21839 S. Avalon Boulevard (doing business as: Smog Experts Testing Only), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 764-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 764-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



ORDER NO. : 2607092217-59

EXHIBIT A

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

Lot 37 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 765-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 637 E. 219th STREET, UNIT "2"**

**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 representative, Pat Brown with respect to real property located at 637 E. 219th Street, Unit "2" (doing business as: Francisco's Auto Repair), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 765-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. . Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 765-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

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

Lot 37 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 766-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 637 E. 219th STREET, UNIT "5"**

**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 representative, Pat Brown with respect to real property located at 637 E. 219th Street, Unit "5" (doing business as: Ed's Auto Repair), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 766-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 766-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

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

Lot 37 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 767-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 637 E. 219th STREET, UNITS "6 & 7"**

**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 representative, Pat Brown with respect to real property located at 637 E. 219th Street, Units "6 & 7" (doing business as: 3 R's Auto Repair), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 767-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 767-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

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

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Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 768-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 645 E. 219th STREET, UNITS "1 & 2"**

**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 representative, Pat Brown with respect to real property located at 645 E. 219th Street, Units "1 & 2" (doing business as: Chuy's Auto Interior), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 768-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 768-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

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

Lot 37 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 769-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 645 E. 219th STREET, UNIT "4"

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 representative, Pat Brown with respect to real property located at 645 E. 219th Street, Units "4" (doing business as: Oscar's Auto Electric), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 769-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Safety and convenience of vehicular and pedestrian access is



provided. Conditions have been included to regulate on-site parking and to restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 769-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

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

Lot 37 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom the West 320 feet.

Also except the North 132 feet.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 770-09 FOR CONTINUED AUTO REPAIR USE LOCATED
AT 645 E. 219th STREET, UNIT "5"**

**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 representative, Pat Brown with respect to real property located at 645 E. 219th Street, Units "5" (doing business as: R & J Auto Repair), and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 770-09) for continued auto repair use in the CG-D (Commercaill General-Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), a conditional use permit is required for any legal nonconforming vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on August 10, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as General Commercial which is compatible with the existing use. The continued auto repair use will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Conditions have been included to require the applicant to provide additional landscaping and to provide painting, restucco, repair parking areas and other necessary upgrades to maintain adequate property maintenance and project compatibility.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use. The surrounding land uses are primarily general commercial uses and the proposed project is compatible with those uses. The site is 1.12 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the existing use at the site for auto repair will not change. Conditions have been included to regulate on-site parking and to



restrict the intensification of the existing and future auto repair uses. Safety and convenience of vehicular and pedestrian access is provided.

- e) No new signage is proposed for this project.
- f) The proposed CUP application for continued auto repair use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly general commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 770-09 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 10th DAY OF AUGUST, 2010

CHAIRMAN

ATTEST:

SECRETARY



ORDER NO. : 2607092217-59

EXHIBIT A

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

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CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NOS: 764-09 TO 770-09

GENERAL CONDITIONS

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. _____, 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. Upon activation, the Conditional Use Permits shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. 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.
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 minor revisions shall be reviewed and 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. 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.



8. 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.
9. In accordance with Ordinance No. 04-1322, the owner/applicant provided a building inspection report which includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies that may exist on the subject commercial buildings located at 21839 S. Avalon Boulevard and 637 and 645 E. 219th Street. The inspection report identified a water main leak under the slab at 637 E. 219th Street; Unit "2", a building permit to correct this hazardous condition shall be obtained within 30 days, with completion of required work within 60 days. The roof on 637 and 645 E. 219th Street needs replacement. The owner/applicant shall obtain a building permit to replace said roof within 30 days, with completion of required work within 120 days. All other recommendations identified in the report shall be completed within 90 days of approval of this Conditional Use Permit. The applicant shall notify the Planning Division once the improvements are complete for compliance with this condition.
10. The owner/applicant shall replace broken driveway approaches in compliance to CMC requirements and in-coordination with Development Services Department/Public Works Division. All parking areas shall be re-slurried and all parking spaces shall be re-stripped in compliance with CMC requirements. Bollards shall be installed on all parking spaces where vehicles back up to driveway approaches and sidewalk areas to eliminate hazardous conditions to vehicles and pedestrians.
11. The owner/applicant shall comply with the Standard Urban Storm Water Plan (SUSMP) requirements. Owner/applicant shall coordinate with the city's Development Services Department, Public Works Division.
12. The owner/applicant shall provide for public use above ground storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices and in compliance with the State Department of Conservation/Cal-Recycle program. The Planning Division shall approve the location and signage for company "used oil recycling" services.
13. In order to improve on the project site's aesthetics the applicant/owner shall re-paint and or re-stucco the two existing commercial buildings on said property within six (6) months. Further, the owner/applicant shall submit a landscape and irrigation plan identifying the planting of "Leyland Cypress trees" along the property's western boundary to screen the multiple family apartments from the auto repair use. The exiting palm tree fronting on 637 & 645 E. 219th Street shall be replaced with a tree that does not damage the sidewalk. The damaged retaining wall shall also be replaced. The new trees shall be maintained by an automatic drip irrigation system. Failure to maintain landscaping will result in Code Enforcement action against the property owner. Said landscape and irrigation plan shall be presented to the Planning Division for review and approval.
14. The owner/applicant shall repair and maintain all trash enclosures in compliance with CMC Section 9143.3 "Non-residential trash areas" within six (6) months.



15. The owner/applicant shall not intensify any of the existing seven auto repair tenant unit spaces. Further, the existing vacant tenant spaces shall not be occupied with auto repair or auto service related businesses.
16. The parking for each auto repair service tenant/unit space shall be limited to four (4) parking spaces per unit. No auto repair service work shall be permitted outside of the tenant building/unit space including but not limited to: the fire lanes; parking spaces; or public street frontages. No vehicles awaiting auto repair shall be allowed within any fire lane.
17. The owner/applicant shall provide new business identification signage for all the auto repair uses.
18. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit Nos. 764-09 to 770-09. 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 or 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.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

19. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

20. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

