



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 14, 2010

SUBJECT: (1) Conditional Use Permit No. 772-09
(2) Conditional Use Permit No. 844-10

APPLICANTS: (1) Ohio Auto Body
(2) American Auto Center
Representative: Pat Brown
5390 E. 8th Street
Long Beach, CA 90804

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

PROPERTIES INVOLVED: 21226 S. Main 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. 11C

I. Introduction

Date Application Received: November 17, 2009

- CUP No. 772-09: "Ohio Auto Body"
- CUP No. 844-10: "American Auto Center"

Property Owner/Project Applicant

- Robert Demesko, 21226 S. Main Street, Carson, CA 90745

Project Applicant

- (1) Ohio Auto Body: Robert Demesko, 21226 S. Main Street, Carson, CA 90745
- (2) American Auto Center: Ron Blas, 21226 S. Main Street, Carson, CA 90745

Project Address

- 21226 S. Main Street, Carson, CA 90745

Project Description

- Proposed conditional use permits to allow continuation of existing automotive repair uses. 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 any residential zone. Conditional Use Permit Nos. 772-09 and 884-10 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 4,200 square feet built in 1980.

Previously Approved Discretionary Permits

- Design Overlay Review (DOR) No. 22-78 was approved in 1978 for a 4,200-square-foot automotive building. Building permits show a permit issuance date of June 28, 1978 for the buildings currently onsite.

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. However, field investigations conducted by planning staff verified the presence of significant code violations pertaining to parking, landscaping, and storage of inoperable vehicles, which are explained below in the *Issues of Concern* section.

In the early 1980's, the city widened Main Street requiring a ten-foot dedication from the subject property, which eliminated landscaping and created a non-conforming situation with respect to the location of parking. 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

A non-conforming multi-family residential use is adjacent to the north of the subject property. A vacant commercially-zoned parcel is adjacent to the south. East of the property are RS (Residential, Single-family) zoned homes, and west across Main Street are light-industrial manufacturing and office buildings. The lot area is approximately 11,100 square feet. The existing automotive repair buildings are developed with 10 parking spaces. The existing auto repair buildings consist of six (6) working service bays with adjoining office and or storage areas.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned CG-D (Commercial General-Design Overlay Review). The property to the north is zoned CG-D. The properties to the west are zoned RS (Residential, Single-family). The vacant 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. Staff is recommending that the site provide oil recycling service for the public in compliance with the State Conservation Department/Cal-Recycle Program.

The parking areas require re-slurry and re-striping. Additionally, all broken driveway approaches shall be replaced with new driveway approaches in compliance with Public Works Division standards. Staff recommends that the existing pole sign be removed and replaced with new business identification signage on the exterior wall of the building, however no new signs are proposed at this time.

Regarding landscaping enhancement, staff recommends that trees be planted in the existing empty tree wells along Main Street and south of the property. In addition, a



landscape area is recommended for the first five feet of the front yard setback, which requires removal and replacement of the existing 6-foot wrought-iron fence currently on the front property line. Further, the trash enclosure area is to be repaired and maintained in compliance to CMC Section 9164.3 "Non-residential Trash Areas".

As required by Ordinance No. 04-1322, the applicants have provided a building inspection report by a certified inspector (Exhibit No. 4). 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. The following mitigation measures outlined below have been added as conditions of approval to Exhibit "B" of the attached resolution:

- *Mitigation:* The applicants shall provide a five-foot wide landscape area in the front yard setback with the wrought-iron fencing placed behind it,



or between the buildings, subject to the owner's discretion and Planning Division review and approval of such placement.

- *Mitigation:* The property owner/applicants provided a property inspection report that identifies plumbing, electrical and building fire code deficiencies. The owner/applicants will be required to correct any existing or potential deficiencies identified in the report in compliance with State Uniform Building and Fire Codes.
- *Mitigation:* The applicants will be required to re-slurry and restripe the parking spaces, and rehabilitate the trash enclosure area to comply with the CMC requirements. Further, all broken driveway approaches will be replaced per CMC requirements and specifications.
- *Mitigation:* The applicants shall provide street trees in missing wells along Main Street in front of and adjacent to the subject property. Such replacement shall be subject to Planning review and approval as to tree species, type, and size.
- *Mitigation:* The existing pole sign shall be removed. Appropriate wall sign(s), or a new monument sign shall be added to the property, subject to the owner's discretion, planning department review and approval, and upon issuance of applicable building permit(s).

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;
- **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 772-09 FOR A CONTINUED AUTO REPAIR USE LOCATED AT 21226 S. MAIN STREET"; and
- **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 844-10 FOR A CONTINUED AUTO REPAIR USE LOCATED AT 21226 S. MAIN STREET."
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VI. Exhibits

1. Land Use Map
2. Draft Resolution for Conditional Use Permit No. 772-09
3. Draft Resolution for Conditional Use Permit No. 844-10
4. Property Inspection Report
5. Development Plans

Prepared by: _____

Steven C. Newberg, AICP, Associate Planner

Reviewed by: _____

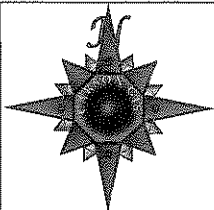
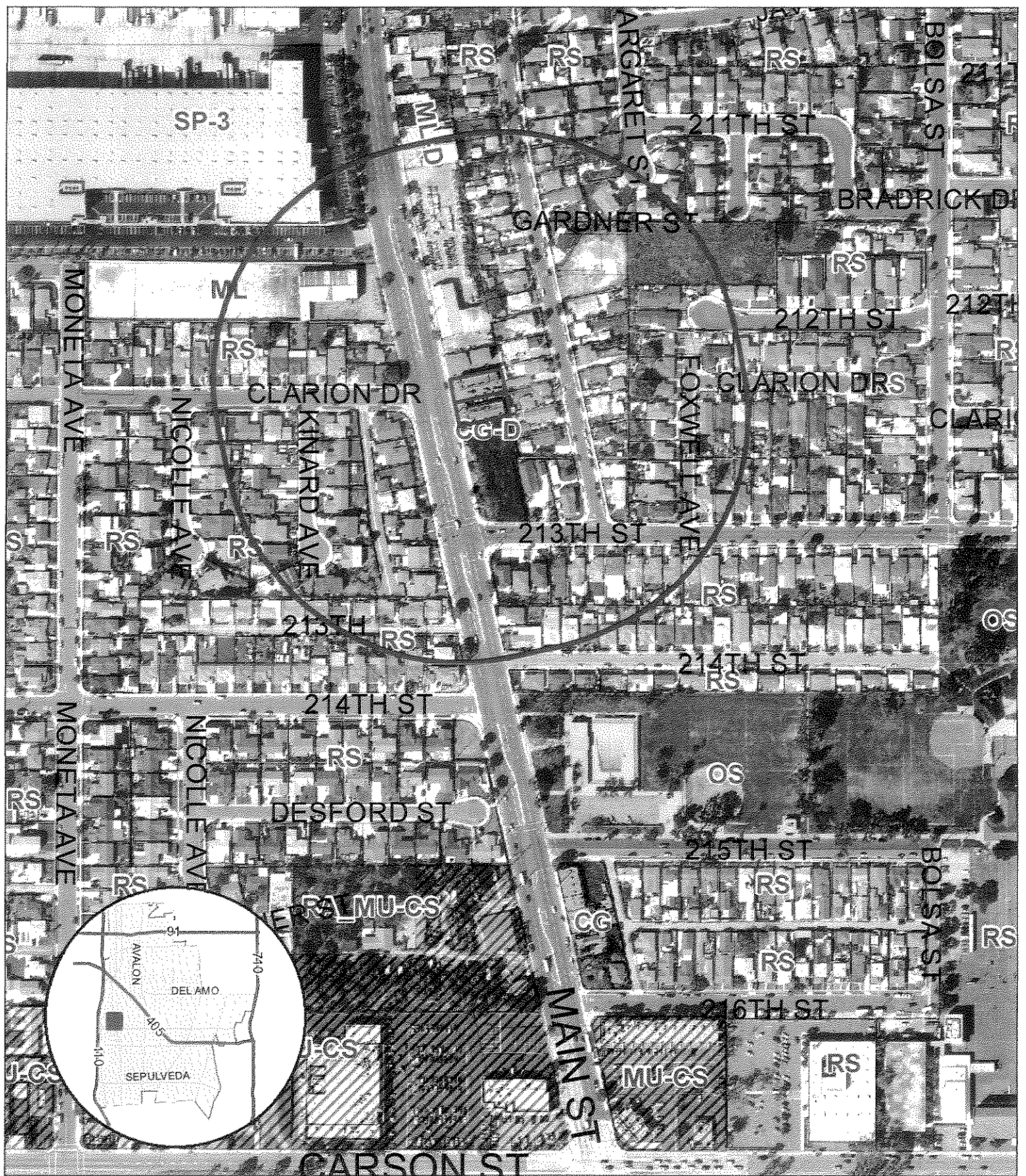
John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp Loadman, Planning Officer

sn/c77209_c84410p_091410





City of Carson
500 Foot Radius Map EXHIBIT NO. 1 -
21226 Main St



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 772-09 FOR A CONTINUED AUTO REPAIR USE LOCATED
AT 21226 S. MAIN STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Ohio Auto Body, with respect to real property located at 21226 S. Main Street, and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit No. 772-09 to authorize a proposed auto repair use in the CG-D (Commercial, General – Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the CMC, a conditional use permit is required for any vehicle service and repair use located within 100 feet of a residential zone district.

A public hearing was duly held on September 14, 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 proposed use. The auto repair use will be consistent with the surrounding 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.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed auto repair use. The surrounding land uses are primarily general commercial and high-density residential uses with which the proposed project is compatible. The site is 0.13 acre, relatively flat, and is located in an commercial zone.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since there is adequate vehicular circulation and parking spaces provided for the proposed auto repair use. Safety and convenience of vehicular and pedestrian access is provided.
- e) The proposed 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 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. 772-09 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 14th DAY OF SEPTEMBER, 2010

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 772-09

Property Address: 21226 S. Main Street

Parcel Identification Number: 7334-002-006

Lot 5 and one-half vacated alley adjacent to the east property line in Tract Number 8018, as per map recorded in Maps, in the Office of the County Recorder of said County.



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 772-09

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. 772-09, said permit 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 Permit 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, all recommendations identified in the building inspection report, including plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies found on the subject commercial buildings located at 21226 S. Main Street 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 repair cracked concrete parking areas and re-paint all parking spaces in compliance with CMC requirements.
11. The owner/applicant shall comply with the Standard Urban Stormwater 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. The applicant/owner shall submit a landscape and irrigation plan prior to the issuance of a building permit (or within 90 days of CUP approval if no building permit is needed) identifying the planting of ground-cover along a five-foot wide landscaped frontage along the property fronting Main Street, subject to Planning Division review and approval. The new landscaping shall be maintained by an automatic drip irrigation system. Failure to maintain landscaping will result in Code Enforcement action against the property owner.
14. The applicant shall provide street trees in missing wells along Main Street in front of and adjacent to the subject property. Such replacement shall be subject to Planning review and approval as to tree species, type, and size and shall be incorporated into landscape plans as required by Condition of Approval No. 13, noted above.
15. The existing pole sign shall be removed. Appropriate wall sign(s), or a new monument sign shall be added to the property, subject to the owner's discretion, planning department review and approval, and upon issuance of applicable building permit(s).
16. 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 No. 772-09. 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

17. 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

18. 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.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 844-10 FOR A CONTINUED AUTO REPAIR USE LOCATED
AT 21226 S. MAIN STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, American Auto Center, with respect to real property located at 21226 S. Main Street, and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit No. 844-10 to authorize a proposed auto repair use in CG-D (Commercial, General – Design Overlay) zoning district. Pursuant to Sections 9138.2 and 9182.22 of the CMC, a conditional use permit is required for any vehicle service and repair use located within 100 feet of a residential zone district.

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- a) The General Plan designates the property as General Commercial which is compatible with the proposed use. The auto repair use will be consistent with the surrounding 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.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed auto repair use. The surrounding land uses are primarily general commercial and high-density residential uses with which the proposed project is compatible. The site is 0.13 acre, relatively flat, and is located in an commercial zone.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since there is adequate vehicular circulation and parking spaces provided for the proposed auto repair use. Safety and convenience of vehicular and pedestrian access is provided.
- e) The proposed 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 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. 844-10 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 14th DAY OF SEPTEMBER, 2010

CHAIRMAN

ATTEST:

SECRETARY



**CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 844-10**

Property Address: 21226 S. Main Street

Parcel Identification Number: 7334-002-006

Lot 5 and one-half vacated alley adjacent to the east property line in Tract Number 8018, as per map recorded in Maps, in the Office of the County Recorder of said County.



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 844-10

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. 844-10, said permit 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 Permit 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, all recommendations identified in the building inspection report, including plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies found on the subject commercial buildings located at 21226 S. Main Street 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 repair cracked concrete parking areas and re-paint all parking spaces in compliance with CMC requirements.
11. The owner/applicant shall comply with the Standard Urban Stormwater 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. The applicant/owner shall submit a landscape and irrigation plan prior to the issuance of a building permit (or within 90 days of CUP approval if no building permit is needed) identifying the planting of ground-cover along a five-foot wide landscaped frontage along the property fronting Main Street, subject to Planning Division review and approval. The new landscaping shall be maintained by an automatic drip irrigation system. Failure to maintain landscaping will result in Code Enforcement action against the property owner.
14. The applicant shall provide street trees in missing wells along Main Street in front of and adjacent to the subject property. Such replacement shall be subject to Planning review and approval as to tree species, type, and size and shall be incorporated into landscape plans as required by Condition of Approval No. 13, noted above.
15. The existing pole sign shall be removed. Appropriate wall sign(s), or a new monument sign shall be added to the property, subject to the owner's discretion, planning department review and approval, and upon issuance of applicable building permit(s).
16. 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 No. 844-10. 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

17. 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

18. 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.



HOME INSPECTIONS BY DARRELL IMEL

A General Contractor Since 1973

P.O. Box 1132, Torrance, CA. 90505

Tel: (310) 625-3149

Fax: (310) 325-5210

5-20-10

DATE

ATTENTION: ROBERT DEMESKO & CITY OF CARSON PLANNING DEPT. (SHARON SONG)
NAME

21226 S. MAIN (AUTOMOTIVE REPAIR)
PROPERTY ADDRESS

CARSON
CITY

CA.
STATE

90745
ZIP

PRESENT AT INSPECTION: ☒ CLIENT ☐ SELLER ☐ LISTING AGENT
☐ SELLING AGENT ☐ INSPECTOR ONLY

DESCRIPTION OF PROPERTY INSPECTED:

☐ SINGLE FAMILY RESIDENCE
☐ TOWNHOME/CONDOMINIUM-INTERIOR ONLY
☒ COMMERCIAL
☐ MULTIPLE UNITS # _____
VACANT ☐ OCCUPIED ☐

BEDROOMS _____
BATHROOMS _____
POOL _____
SPA _____

REPORTED SQUARE FOOTAGE 2,400+
WEATHER CONDITIONS: CLEAR

INSPECTION REPORT CODES:

GOOD: MEANS THE ITEM APPEARS IN OPERATING CONDITION AND DOES NOT SHOW EXCESSIVE WEAR AT THE TIME OF THE INSPECTION.

FAIR: MEANS THE ITEM IS OPERATING BUT MAY NEED REPAIR OR REPLACEMENT IN THE NEAR FUTURE AND SHOWS SIGNS OF WEAR AND AGING.

POOR: MEANS THE ITEM IS IN NEED OF IMMEDIATE REPAIR AND OR REPLACEMENT.

DARRELL IMEL
INSPECTOR

EXHIBIT NO. 4 -

20

AGREEMENT FOR HOME INSPECTION SERVICES

For and in consideration of the promises and terms of this Agreement For Home Inspection Services (this "Agreement"), Inspector and Client hereby agree as follows:

1. INSPECTOR agrees to perform a visual inspection of the subject house and to provide CLIENT with a written inspection report identifying the major deficiencies. This inspection will be of the readily accessible areas of the house and is limited to visual observation of apparent condition existing at the time of the inspection only. The written report will include the following systems and items only:

* Structural Components	* Heating	* Central Air Conditioning
* Exterior Structure	* Grounds	* Insulation and Ventilation
* Attic	* Interior	* Basement or Crawl Space
* Drainage	* Foundation	* Built-in Appliances
* Electrical	* Plumbing	* Roof
* Fireplaces		
2. Systems and items which are EXCLUDED from this inspection include, but are not limited to, the following: recreational and playground facilities, including, but not limited to, tennis courts and swimming pools; geological and soil conditions; sprinkler systems (fire and lawn); solar systems; water wells; below ground septic or drainage systems; smoke detectors; wiring not part of the primary electrical distribution system, including but not limited to, intercoms, cable TV, security systems, and audio systems; portable appliances, including, but not limited to, washers and dryers and window air conditioning units; and any items considered cosmetic. Any comments about the foregoing excluded systems and items are informational only and are not part of the inspection. The presence or absence of pests such as wood damaging organisms, rodents or insects is EXCLUDED from this inspection. The presence of such pests may be noted for informational purposes only. The CLIENT is urged to contact a reputable and licensed specialist if identification and extermination of the pests is desired.
3. The inspection and report will be performed in a manner consistent with the standards of the American Society of Home Inspectors ("ASHI") and the terms used in this Agreement shall have the same meaning given them in the ASHI standards. A copy of the standards of ASHI is available for the CLIENTS review at INSPECTOR'S office. The inspection and report are performed and prepared for the sole, confidential and exclusive use and possession of the CLIENT. INSPECTOR accepts no responsibility for use or misinterpretation by third parties.
4. INSPECTOR is not required to move personal property, debris, furniture, equipment, carpeting or like materials which may impede access or limit visibility. Major deficiencies and defects which are latent or concealed are excluded from the inspection. The inspection is not intended to be technically exhaustive. Equipment and systems will not be dismantled. The inspection report is not a compliance inspection for any governmental codes or regulations.
5. The inspection and report do not address, and are not intended to address the possible presence of or danger from asbestos, radon gas, lead paint, mold, formaldehyde, pesticides, toxic or flammable chemicals, water or airborne related illness or disease, and all other similar or potentially harmful substances. The CLIENT is urged to contact a reputable specialist if information, identification or testing for the foregoing is desired.
6. NEITHER THE INSPECTION NOR THE INSPECTION REPORT IS A WARRANTY, EXPRESS OR IMPLIED, REGARDING THE ADEQUACY, PERFORMANCE OR CONDITION OF ANY INSPECTED STRUCTURE, ITEM OR SYSTEM. THE INSPECTION AND REPORT ARE NOT INTENDED TO REFLECT THE VALUE OF THE PREMISES, OR TO MAKE ANY REPRESENTATION AS TO THE ADVISABILITY OR INADVISABILITY OF PURCHASE OR SUITABILITY FOR USE.

7. The parties agree, that the maximum liability for INSPECTOR, arising from any failure to perform any of the obligations of the INSPECTOR under this Agreement, is limited to an amount not to exceed the fee paid for the inspection service.
8. Payment is due upon completion of the on-site inspection.
9. INSPECTOR is authorized to disclose any and all items in the inspection report. Yes ____ No ____
10. This Agreement represents the entire agreement between the INSPECTOR and the CLIENT. No change or modification shall be enforceable against either party unless such change or modification is in writing and signed by both the INSPECTOR and the CLIENT. This Agreement shall be binding upon and enforceable by the parties, and their heirs, executors, administrators, successors and assigns.
11. **MOLD DISCLOSURE:** THIS PROPERTY WAS NOT INSPECTED FOR THE PRESENCE OR ABSENCE OF HEALTH RELATED MOLD OR FUNGI. BY CALIFORNIA LAW, WE ARE NOT QUALIFIED, AUTHORIZED OR LICENSED TO INSPECT FOR HEALTH RELATED MOLD OR FUNGI, IF YOU DESIRE INFORMATION ABOUT THE PRESENCE OR ABSENCE OF HEALTH RELATED MOLD, YOU SHOULD CONTACT AN INDUSTRIAL HYGIENIST.

DARRELL IMEL

Inspector

ROBERT DEMESKO

Client or Client's Representative

I hereby warrant that I am authorized to enter into this Agreement on behalf of Client.

Client Representative



21226 S. MAIN CARSON, CA.



EXTERIOR-1

ROOF SYSTEM

Kind of roof?

Composition Shingles ☐ Rolled Composition ☒

Wood ☐ Tar & Gravel ☐ Tile ☐

other

Layers of roofing? APPEARS TO BE TWO

Condition? good ☒ fair ☐ poor ☐

Vent caps missing or damaged? yes ☐ no ☒

Mastic seal repairs needed? yes ☐ no ☒

Properly flashed? yes ☒ no ☐

Not accessible or walked due to:

type ☐ height ☐ weather ☐ pitch ☐

Viewed from Ladder-Binoculars -Vantage Points ☒

Recommend that the roof be monitored for maintenance on a regular basis? yes ☒ no ☐

Comments: _____

GUTTERS/DOWNSPOUTS

Are there gutters? yes ☒ no ☐

Gutters are? metal ☒ vinyl ☐

Evidence of leaks? yes ☐ no ☒

Do downspouts have kick-outs? yes ☒ no ☐

Water flows away from foundation? yes ☒ no ☐

Condition of gutter system? good☒ fair☐ poor☐

Comments: _____

CHIMNEYS N/A

Any Chimneys? yes ☐ no ☐

Type? masonry ☐ frame ☐ other _____

If masonry, any loose/missing bricks or mortar?

yes ☐ no ☐

Does chimney have?

cap ☐ squirrel cage ☐ screen ☐ nothing ☐

Does chimney have?

ash pit ☐ clean outdoor ☐ neither ☐

Condition of chimney? good ☐ fair ☐ poor ☐

Comments: _____

WINDOWS/TRIM

Kind of windows? Double hung ☐ casement ☐

jalousie ☐ stationary ☒ gliding ☐

aluminum ☐ wood ☐

other

combination of types ☐

Condition of frames/sashes/glazing/caulking?

good ☒ fair ☐ poor ☐

Do windows have screens? yes ☐ no ☒

Any screens missing/damaged? yes ☐ no ☐

Comments: _____

EXTERIOR-2

SUMP PUMP

N/A

Is there a sump pump?

yes ☐ no ☐

Condition of pump? good ☐ fair ☐ poor ☐

Work properly? yes ☐ no ☐ unable to test ☐

Any evidence of water problems? yes ☐ no ☐

Comments: _____

AWNINGS

N/A

Are there awning? yes ☐ no ☐

aluminum ☐ fiberglass ☐ canvas ☐

wood frame ☐ other _____

Condition good ☐ fair ☐ poor ☐

Comments: _____

SIDING/TRIM/MOLDINGS

Exterior walls are? Wood ☐ brick veneer ☒

stone ☐ stucco ☐ masonite ☐

steel siding ☐ aluminum ☐ vinyl ☐

other _____

Is siding trim/firm? yes ☒ no ☐

Any need replace? ☐ repair ☐

Stucco cracking? minor ☐ moderate ☐ severe ☐

Comments: _____

EXTERIOR DOORS

Type of doors? Solid Wood ☐ steel ☐

wood/glass ☐ wood hollow core ☐ other METAL

fit/work properly? yes ☒ no ☐

Have thresholds? yes ☒ no ☐

Have? Security locks ☐ deadbolts ☒

standard keylock ☒

Weather-stripped? yes ☐ no ☐

Condition? good ☒ fair ☐ poor ☐

Are there door bells? yes ☐ no ☐

Do they work? yes ☐ no ☐

Security and Intercom systems are not inspected

Comments: _____

PATIO/SLIDING DOORS

N/A

Is there a sliding door? yes ☐ no ☐

Fit/work properly? yes ☐ no ☐

Any evidence of air/water leaks? yes ☐ no ☐

Does it have screen? yes ☐ no ☐

Safety emblems in glass? yes ☐ no ☐

Condition of door? good ☐ fair ☐ poor ☐

Comments: _____

EXTERIOR-3

GARAGE DOORS

Is there a garage door? yes ☒ no ☐
Fit/work properly? yes ☒ no ☐
Safety springs? yes ☐ no ☒
Condition of door? good ☒ fair ☐ poor ☐
Is there automatic door opener? yes ☐ no ☐
Work properly? yes ☐ no ☐
Passage door to house? yes ☐ no ☐
Fire rated? yes ☐ no ☐ self closer yes ☐ no ☐
Comments: _____

FOUNDATION/CRAWL SPACE

Type of foundation? raised ☐ slab ☒
poured concrete ☒ block ☐ brick ☐
other _____
Are there piers? yes ☐ no ☐
Is the foundation bolted? yes ☒ no ☐
Any evidence of settling or cracking? yes ☒ no ☐
minor ☒ moderate ☐ severe ☐
Recommend further analysis from engineer ☐
Proper ventilation? yes ☐ no ☐
Are girders / floor joists sagging? yes ☐ no ☐
Access? good ☐ fair ☐ poor ☐
Foundation vents missing / damaged? yes ☐ no ☐
Condition of foundation / crawl space?
good ☐ fair ☐ poor ☐
Comments: _____

STEPS N/A

Are there exterior steps? yes ☐ no ☐
Are they? wood ☐ concrete ☐ other _____
Are support/posts / pillars / railings firm?
yes ☐ no ☐
Condition of steps? good ☐ fair ☐ poor ☐
Comments: _____

PATIO N/A

Is there a patio? yes ☐ no ☐
concrete ☐ brick ☐ other _____
Any evidence of cracking? yes ☐ no ☐
minor ☐ moderate ☐ severe ☐
Condition of patio? good ☐ fair ☐ poor ☐
Comments: _____

DECKS/BALCONY N/A

Is there a deck / balcony? yes ☐ no ☐
Type? wood ☐ concrete ☐ water proof covering ☐
other _____
Cracked or deteriorated water proof covering?
yes ☐ no ☐
Support post / railings firm? yes ☐ no ☐
Condition of deck / balcony?
good ☐ fair ☐ poor ☐
Comments: _____

EXTERIOR-5

RETAINING WALLS N/A

Any retaining walls? yes ☐ no ☐
Type? block ☐ rock ☐ railroad ties ☐
other _____
Any weep holes? yes ☐ no ☐
Condition of walls? good ☐ fair ☐ poor ☐
Comments: _____

FENCES

Any fences? yes ☒ no ☐
Type of fence? block ☐ wood ☐ wrought iron ☒
chain link ☐ stucco ☐ other _____
Any loose/rotted posts? yes ☐ no ☒
Any broken/missing boards? yes ☐ no ☐
Any loose/missing blocks? yes ☐ no ☐
Do posts have footings? yes ☒ no ☐
Does it have a gate? yes ☒ no ☐
Does gate lock? yes ☒ no ☐
Condition of fence? good ☒ fair ☐ poor ☐
Comments: _____

SIDEWALKS

Are there sidewalks? yes ☒ no ☐
Any evidence of cracking? yes ☒ no ☐
minor ☐ moderate ☒ severe ☐
Condition of sidewalks? good ☐ fair ☒ poor ☐
Comments: _____

DRIVEWAYS

Is there a driveway? yes ☒ no ☐
Does it slope away from the property? yes ☒ no ☐
Type of driveway? asphalt ☐ concrete ☒
gravel ☐ other _____
Any evidence of cracking? yes ☒ no ☐
minor ☐ moderate ☒ severe ☐
Condition of driveway? good ☐ fair ☒ poor ☐
Comments: _____

GARAGE N/A

Attached ☐ Detached ☐
Condition of ceiling/walls? good ☐ fair ☐ poor ☐
Any visible leaks? yes ☐ no ☐
Condition of floor? good ☐ fair ☐ poor ☐
Electrical outlets functional? yes ☐ no ☐
Condition of windows? good ☐ fair ☐ poor ☐
Comments: _____

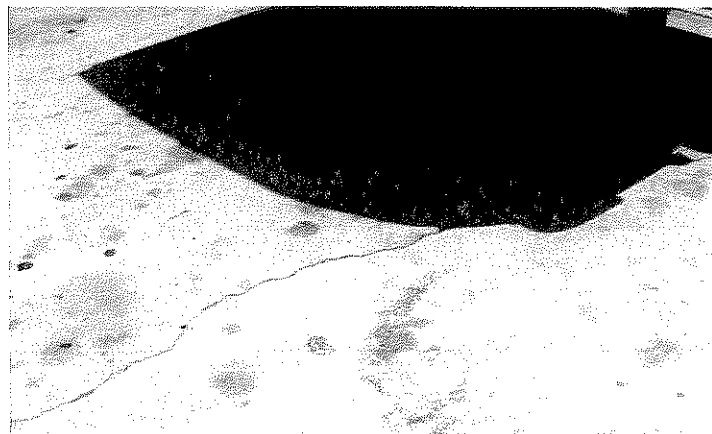
EXTERIOR-6



ROOF IS NEWER & IN GOOD CONDITION



FRONT HOSE BIBB IS MISSING HANDLE



COMMON CRACKS OBSERVED IN DRIVEWAY

INTERIOR-1

N/A

Comments:

N/A

Comments:

N/A

Comments:

N/A

Comments:

INTERIOR-2

SHOP AREA

Condition ceiling / walls? good ☐ fair ☐ poor ☐
Any cracks or leaks? yes ☐ no ☐
Floor covering? carpet ☐ linoleum ☐ tile ☐
other _____
Condition? good ☐ fair ☐ poor ☐
Condition of doors? good ☐ fair ☐ poor ☐
Condition of windows? good ☐ fair ☐ poor ☐
Any fireplace? yes ☐ no ☐
Functional damper? yes ☐ no ☐
Functional gas starter? yes ☐ no ☐
Evidence of smoke on outside of fireplace?
yes ☐ no ☐
Electrical outlets functional? yes ☐ no ☐
Room heated? yes ☐ no ☐

Comments: **1) COMMON CRACKS OBSERVED
IN FLOOR SLAB. 2) EFFLORESCENCE OB-
SERVED AT EAST BRICK WALL.**

OFFICE

Condition of ceiling / walls? good ☒ fair ☐ poor ☐ Any cracks or leaks? yes ☐ no ☒
Floor covering? carpet ☐ linoleum ☐ tile ☒ other _____
Condition? good ☒ fair ☐ poor ☐
Condition of windows? good ☒ fair ☐ poor ☐ Condition of doors? good ☒ fair ☐ poor ☐
Electrical outlets functional? yes ☒ no ☐ Room heated? yes ☐ no ☒
Comments: _____

SHOP AREA

Condition ceiling / walls? good ☐ fair ☐ poor ☐
Any cracks or leaks? yes ☐ no ☐
Floor Covering? carpet ☐ linoleum ☐ tile ☐
other _____
Condition? good ☐ fair ☐ poor ☐
Condition of doors? good ☐ fair ☐ poor ☐
Condition of windows? good ☐ fair ☐ poor ☐
Any fireplace? yes ☐ no ☐
Functional damper? yes ☐ no ☐
Functional gas starter? yes ☐ no ☐
Evidence of smoke on outside of fireplace?
yes ☐ no ☐
Electrical outlets functional? yes ☐ no ☐
Room heated? yes ☐ no ☐
Comments: _____

INTERIOR -3

BATHROOM 1/2

Condition of ceiling / walls? good ☒ fair ☐ poor ☐ Any cracks or leaks? yes ☐ no ☒
Condition of the tile / grout / caulking? good ☒ fair ☐ poor ☐ Tub/shower enclosure? good ☐ fair ☐ poor ☐ N/A
Floor covering? carpet ☐ linoleum ☒ tile ☐ other _____ Condition? good ☒ fair ☐ poor ☐
Condition of windows? good ☐ fair ☐ poor ☐ N/A Condition of doors? good ☒ fair ☐ poor ☐
Functional exhaust fan? yes ☐ no ☒ Condition of plumbing fixtures? good ☒ fair ☐ poor ☐
Shut off valves? yes ☒ no ☐ Any leaks? yes ☐ no ☒ Drain properly? yes ☐ no ☐
Condition of cabinets / vanity? good ☒ fair ☐ poor ☐ Electrical outlets functional? yes ☒ no ☐
Room heated? yes ☐ no ☒ Source _____
Comments: _____

BATHROOM

Condition of ceiling / walls? good ☐ fair ☐ poor ☐ Any cracks or leaks? yes ☐ no ☐
Condition of: tile / grout / caulking? good ☐ fair ☐ poor ☐ Tub / shower enclosure? good ☐ fair ☐ poor ☐
Floor covering? carpet ☐ linoleum ☐ tile ☐ other _____ Condition? good ☐ fair ☐ poor ☐
Condition of windows? good ☐ fair ☐ poor ☐ Condition of doors? good ☐ fair ☐ poor ☐
Functional Exhaust fan? yes ☐ no ☐ Condition of plumbing fixtures? good ☐ fair ☐ poor ☐
Shut off valves? yes ☐ no ☐ Any leaks? yes ☐ no ☐ Drain properly? yes ☐ no ☐
Condition of cabinets / vanity? good ☐ fair ☐ poor ☐ Electrical outlets functional? yes ☐ no ☐
Room heated? yes ☐ no ☐ Source _____
Comments: _____

BATHROOM

Condition of ceiling / walls? good ☐ fair ☐ poor ☐ Any cracks or leaks? yes ☐ no ☐
Condition of: Tile / grout / caulking? good ☐ fair ☐ poor ☐ Tub / shower enclosure? good ☐ fair ☐ poor ☐
Floor covering? carpet ☐ linoleum ☐ tile ☐ other _____ Condition? good ☐ fair ☐ poor ☐
Condition of windows? good ☐ fair ☐ poor ☐ Condition of doors? good ☐ fair ☐ poor ☐
Functional exhaust fan? yes ☐ no ☐ Condition of plumbing fixtures? good ☐ fair ☐ poor ☐
Shut off valves? yes ☐ no ☐ Any leaks? yes ☐ no ☐ Drain properly? yes ☐ no ☐
Condition of cabinets / vanity? good ☐ fair ☐ poor ☐ Electrical outlets functional? yes ☐ no ☐
Room heated? yes ☐ no ☐ Source _____
Comments: _____

ELECTRICAL : Low voltage systems are not inspected

Service location? _____ service size? _____ Amps. Main disconnect? yes ☒ no ☐

of circuits? _____ Breakers ☒ Fuses ☐ Service Grounded? yes ☒ no ☐

Comments: _____

HEATING: Inspection of heater boxes / heat exchangers can only be done by dismantling the heater. The inspection does not include dismantling. Radiant heat and components are not visible and not inspected.

Type? Forced air ☐ wall heater ☐ gravity ☐ radiant ☐ electric ☐ Gas service on? yes ☐ no ☐

of BTUs _____ Thermostat functional? yes ☐ no ☐ Air filter clean? yes ☐ no ☐

Accessible gas shut off valve? yes ☐ no ☐ Adequate ventilation? yes ☐ no ☐

Comments: N/A

PLUMBING: Septic Tanks are not visible and not inspected

Public ☒ Private ☐ Service on? yes ☒ no ☐ Main water shut off? yes ☒ no ☐

Main water supply line? copper ☒ galvanized ☐ other _____

Water supply lines? copper ☒ galvanized ☐ other _____ Any leaks or corrosion? yes ☐ no ☒

Drain waste lines? Cast iron ☒ galvanized ☐ ABS (plastic) ☒ Any leaks or corrosion? yes ☐ no ☒

Recommend monitoring lines for maintenance. yes ☒ no ☐

Comments: _____

WATER HEATER: Solar Systems are not inspected N/A

Type? gas ☐ electric ☐ Capacity? _____ gallons. Approx. age: _____ Relief valve? yes ☐ no ☐

Drain line? yes ☐ no ☐ Proper ventilation? yes ☐ no ☐ Seismic strap? yes ☐ no ☐

Evidence of rust / corrosion? yes ☐ no ☐ Location? _____

Comments: _____

CENTRAL AIR CONDITIONING N/A

Type? gas ☐ electric ☐ Condenser coil clean? yes ☐ no ☐ Power supply disconnect? yes ☐ no ☐

Condensate drain line? yes ☐ no ☐ Supply lines insulated? yes ☐ no ☐

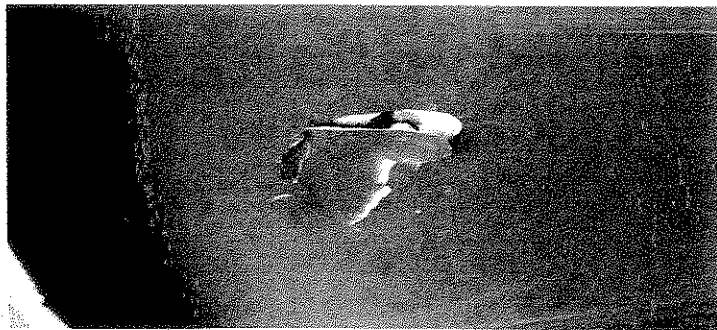
Comments: _____

Recommend gas company test all appliances if gas was off at inspection

INTERIOR-5



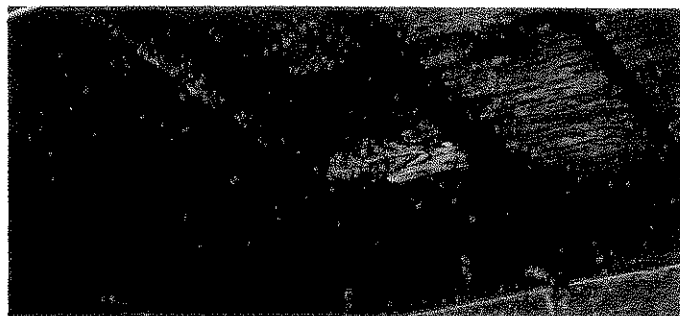
EFFLORESCENCE AT EAST & SOUTH WALL SHOULD BE CLEANED & SEALED WITH ALDON



DRYWALL PATCH IS NEEDED AT SOUTH WALL



SHOP AREA IS IN GOOD CONDITION



WATER STAINS OBSERVED AT ROOF JOIST. OWNER HAS STATED THE ROOF HAS BEEN REPLACED. ROOF WAS IN GOOD CONDITION AT THE TIME OF INSPECTION.