



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 9, 2010

SUBJECT: Conditional Use Permit No. 721-09

APPLICANT: Firestone (Bridgestone Retail Operations, LLC)
c/o: Robert Sundstrom (Huitt-Zollars, Inc.)
430 Exchange, Suite 200
Irvine, CA 92602-1315

REQUEST: To approve a Conditional Use Permit for Firestone, an existing tire and wheel sales and auto repair store on a site located in the CR-D (Commercial, Regional-Design Overlay Review) zoning district

PROPERTY INVOLVED: 20707 S. Avalon Boulevard

COMMISSION ACTION

____ Concurred with staff

____ Did not concur with staff

____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Goolsby			

Item No. 11E

I. Introduction

The applicant, Robert Sundstrom, for Huitt-Zollars, Inc., is requesting approval of Conditional Use Permit (CUP) No. 721-09, on behalf of Firestone (Bridgestone Retail Operations, LLC) to authorize the existing retail tire and wheel sales and auto repair store located at 20707 S. Avalon Boulevard (Exhibit No. 2). The application for this project was received by the Planning Division on January 28, 2009. Staff has been working with the applicant toward an appropriate design based on direction from the Planning Commission as determined at auto-repair related workshops in mid-2009. The property owner is BFS Retail and Commercial, 535 Marriott Drive, Nashville, TN 37214.

The 0.73-acre subject property is zoned CR-D (Commercial, Regional – Design Overlay) and has a General Plan land use designation of Regional Commercial. The subject property is within the City of Carson's Consolidated Redevelopment Project Area.

Firestone has been operating continuously as a tire sales/repair store at the subject property since 1973. Pursuant to Sections 9138.2 and 9182.22 of the Carson Municipal Code (CMC), which were adopted and amended in 2004, a conditional use permit is required by November 4, 2009 for any legal nonconforming vehicle service and repair use located in the CR-D (Commercial, Regional – Design Overlay) zoning district. The approval of Conditional Use Permit No. 721-09 would fulfill that requirement by making the use conforming to the CMC.

II. Background

Current Use of Property

- The property is developed with a commercial building consisting of approximately 9,100 square feet. The building was built in 1975 and to date has been used continuously as a tire installation, auto repair, and retail tire and wheel sales outlet.

Previously Approved Discretionary Permits

- On March 8 1974, the Planning Commission approved Zone Exception Case No. 73-74 allowing 1,275 square feet for total sign area, which was in excess of the maximum allowed at that time. Plot Plan No. 73-37 was approved for the building without discretionary review in May 1974.

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.

Ordinance No. 04-1322

On October 5, 2004, the City Council passed Ordinance No. 04-1322 (Exhibit No. 3), which requires a conditional use permit (CUP) for any auto repair use located within the CR (Commercial, Regional) zoning district.

A CUP can only be approved by the 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 20707 Avalon Boulevard.
- The subject site consists of a commercial building with 9,100 square feet that was built in 1975.
- Regional Commercial uses surround the subject property.
- The lot area is approximately 0.73 acre, or 32,000 square feet.
- The existing commercial building is developed with 21 parking spaces, including one space reserved for disabled motorists. This is a sufficient amount of parking to meet applicable CMC sections.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned CR-D (Commercial Regional – Design Overlay) and surrounding properties share the same zoning with the exception of the South Bay Pavilion located to the east which is zoned CR-MUR-D (Mixed Use Residential).
- The subject property has a General Plan Land Use designation of Regional Commercial.

As identified in the May 12, 2009 Planning Commission auto repair workshop, Firestone is one of five auto-repair related uses within the CR zone, which is characterized by large, single-tenant properties occupied by nationally recognized corporate names. Within the CR zone, there are two sub-groups, which are those located along Avalon Boulevard and those located along Dominguez Street. Both sub-groups are recognized on the basis of their rationale for distinct forms of business signs, with those along Avalon Boulevard requiring monument signs and the Dominguez Street businesses requiring modified pylon signs. Firestone, America's Tire, and Sears Auto Center are the auto-repair related businesses located along Avalon Boulevard.

Accordingly, the applicant intends to remove the existing, non-conforming, over-height dual-pole sign (over 30 feet in height) and replace it with a contemporary, decorative pylon sign (Exhibit No. 4). Also, new landscaping is proposed for all planting areas, including installation of necessary irrigation systems. The existing planting strip fronting Avalon Boulevard will be removed and replanted with Japanese privet hedges, *Rhapiolepis indica* ("Pinkie" flowering shrubs), colorful groundcover,



and 24-inch box specimen fern pine and magnolia trees. Lastly, the applicant proposes to reslurry and restripe the parking area.

The 9,100-square-foot sales and repair building is constructed with split-faced concrete block on the north and south exterior walls and with plain concrete block on the east, stuccoed and painted in a slight off-white color. There are five vehicle service bays facing Avalon Boulevard. The roof design offers an angular projection along the southeast corner of the building which features a prominent wall sign over the main sales and customer lobby facing Avalon Boulevard. A decorative blue and red stripe accents the top portion of the façade. The applicant does not intend to perform façade upgrades to the existing building as a component of the current proposal. The applicant contends that such upgrades will be included in a comprehensive, regional program to assess and enhance their existing inventory of retail tire sales and service, and auto repair stores. However, staff has recommended that any cracks or missing stucco be repaired and that the building be given a fresh coat of paint within 90 days of CUP approval.

The applicant wishes to maintain a broad aesthetic consistency among their stores until such time that regional sub-sets of stores are able to be assessed for potential façade upgrades in order to incorporate similar design changes. According to the applicant, such program implementation should affect the subject property within 2-3 years. A condition of approval has been added which requires that a development plan which provides for façade upgrades to the existing building be submitted within three years of CUP approval, and that such plan shall be subject to review approval before the Planning Commission pursuant to CMC Section 9172.23.

Firestone sells and services tires and wheels and provides auto repair services. The hours of operation are 8:00 a.m. to 6:00 p.m. Monday through Friday, 7:00 a.m. to 6:00 p.m. on Saturdays, and 9:00 a.m. to 5:00 p.m. on Sundays.

As required by Ordinance No. 04-1322, the applicant will provide a building inspection report by a certified inspector. Such inspection report will identify any potential building, plumbing and electrical deficiencies and recommend repairs in conformance with the State Uniform Building Code. A condition of approval has been added to ensure that such report is submitted and that mitigation measures prescribing corrective action to any deficiencies or recommended repairs shall be completed in a timely manner, subject to Planning Division review and approval.

Applicable Zoning Ordinance Regulations

The proposed CUP is 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 South Bay Pavilion shopping center.
 - *Mitigation:* For reasons previously explained, the applicant shall provide building elevation improvement plans within a three-year period following CUP approval, if approved. A condition of approval has been added to ensure that this happens. An additional condition has been added which requires that any cracks or missing stucco be repaired and that the building be given a fresh coat of paint within 90 days of CUP approval.
- Issue – Existing Non-conforming dual-pole sign: The existing dual-pole sign is legal, non-conforming with respect to its height (over 30 feet in the CR zone). The sign has been identified as incompatible in previous Planning Commission workshops held in 2009 regarding auto repair uses. The Planning Commission directed staff to focus on signs, landscaping, and façade improvements when reviewing auto repair uses in the CR zone. Staff recommends, and the applicant proposes that the sign be removed and replaced with a contemporary, decorative pylon sign.
 - *Mitigation:* A condition of approval has been included in Exhibit “B” of the attached Resolution which requires that development plans for such sign be reviewed and approved by the Planning Division and a building permit for an approved monument sign be issued within one year of CUP approval.
- Issue – Existing Non-conforming front yard landscape setback: The existing front yard landscape setback is legal, non-conforming with respect to its width. Section 9162.51 of the CMC requires a ten-foot landscape setback for property area fronting a public right-of-way. Landscaping and irrigation plans that illustrate proposed ground improvements compatible with the surrounding built environment located in the Commercial Regional zoning district are included in this proposal. However, such plans depict a five-foot landscape setback for the front yard area facing Avalon Boulevard. The applicant contends that a ten-foot setback would be detrimental to the business plan



and would hinder vehicular access through the site, turning radii for vehicles on the site, and would result in the loss of parking spaces. Staff disagrees with this assessment.

- *Mitigation:* Staff requests that the Planning Commission consider requiring that the north side of the front yard setback (that area north of the proposed monument sign location) be increased to a ten-foot wide landscape section. This area is shown in Exhibit No. 5. A condition of approval has been included in Exhibit "B" of the attached Resolution which requires that a revised site plan and revised landscaping and irrigation plans for such landscape increase be reviewed and approved by the Planning Division within 90 days of CUP approval.

IV. Environmental Review

Pursuant to Section 15301(e), Existing Facilities, of the California Environmental Quality Act (CEQA), the proposed exterior improvements to an existing commercial building does not have the potential to cause a significant effect on the environment and is found to be categorically exempt.

V. Recommendation

That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 721-09, subject to the conditions of approval attached as "Exhibit B" to the Resolution; and,
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 721-09 FOR AN AUTOMOBILE TIRE SALES AND REPAIR BUSINESS LOCATED AT 20707 S. AVALON BOULEVARD."

VI. Exhibits

1. Draft Resolution
2. Land Use Map
3. Ordinance No. 04-1322 (CMC Section 9138.2)
4. Proposed Elevation of Monument Sign
5. Staff Recommendation for Front Yard Landscape Setback Increase
6. Development Plans (Under Separate Cover)

Prepared by: _____

Steve Newberg, AICP, Associate Planner

Reviewed and Approved by: _____

Sheri Repp-Loadsmán, Planning Officer

scn/c72109p110910



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 721-09 FOR AN AUTOMOBILE TIRE SALES AND REPAIR
BUSINESS LOCATED AT 20707 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 Huitt-Zollars, Inc. on behalf of the applicant, Firestone (Bridgestone Retail Operations, LLC), with respect to real property located at 20707 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 721-09 to authorize the continued use of the existing tire and wheel sales and auto repair store located in the CR-D (Commercial, Regional-Design Overlay Review) zoning district.

A public hearing was duly held on November 9, 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. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 2. The Planning Commission finds that:

- a) The property lies within the area designated on the General Plan as available for Regional Commercial uses and bears a consistent zoning classification of CR-D (Commercial, Regional – Design Overlay). The existing tire and wheel sales and auto repair store adheres to the goals and policies described in the Land Use Element of the General Plan for the Regional Commercial designation and is also a permitted use in the CR-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing uses and development. The subject property is approximately 32,000 square feet (0.73 acres), which is in excess of the minimum size required for commercial lots in the CR zone for this use. Accordingly, the site has sufficient space for to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto retail and repair facility that will continue to provide adequate street access and traffic capacity. The improvements contemplated in connection with the CUP will not increase the size or capacity of the existing tire and wheel sales and auto repair store and therefore will not change the existing trip volume generated from the use. Customer parking areas provide adequate and safe circulation of vehicles and pedestrians on site and serve both the retail and service portions of the facility. The existing 21 parking spaces onsite are sufficient to comply with applicable zoning codes for the use.
- d) The existing facility provides adequate access for emergency vehicles, including the Fire Department, by way of a large common driveway and parking



lot that wraps around the building. There is adequate water supply and access for emergency vehicles in the area for fire protection.

- e) The existing development is complementary and consistent with the intended character of the area, in terms of providing for community needs. The site is surrounded by commercial uses, including a similar automobile tire sales and service center.
- f) The existing non-conforming dual-pole sign will be demolished and replaced with a new monument sign located further south on the east side of the property. The existing wall sign will remain. As such, the signs on the property conform to applicable zoning codes and contribute to an aesthetic improvement to the property and positively impact commercial properties in the vicinity.
- f) The use will comply with the City's development standards for auto repair facilities as outlined in Section 9138.2 of the CMC.

Section 3. 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 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), Existing Facilities, of the CEQA (California Environmental Quality Act) Guidelines.

Section 4. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 721-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 5. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 6. 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 9th DAY OF NOVEMBER, 2010

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

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

PARCEL A:

PARCEL 5, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 2538 FILED IN BOOK 38 PAGE 5 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT 100 PER CENT OF THE OIL, GAS, PETROLEUM, AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP, OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, IN AND UNDER OR RECOVERABLE FROM SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK D-2250 PAGE 752, OFFICIAL RECORDS.

PARCEL B:

AN ACCESS EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER AND ACROSS THAT PORTION OF PARCEL 4, PARCEL MAP NO. 2538 IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 38, PAGE 5, OF PARCEL MAP, RECORDS OF LOS ANGELES COUNTY.

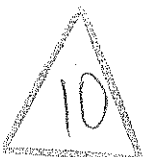
COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 4, PARCEL MAP NO. 2538; THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 4 SOUTH $63^{\circ} 19' 24''$ WEST 5.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE SOUTH $63^{\circ} 19' 24''$ WEST 25.00 FEET; THENCE SOUTH $25^{\circ} 23' 34''$ EAST 63.63 FEET; THENCE RADially NORTH $65^{\circ} 53' 28''$ EAST 30.00 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 4, ALSO BEING THE SOUTHWESTERLY LINE OF AVALON BOULEVARD, 100 FEET WIDE, AS SHOWN ON SAID PARCEL MAP NO. 2538; THENCE ALONG SAID NORTHEASTERLY LINE OF SAID PARCEL 4 AN ARC DISTANCE OF 32.00 FEET THROUGH A CENTRAL ANGLE OF $1^{\circ} 15' 52''$; A RADIAL LINE TO SAID POINT BEARS NORTH $64^{\circ} 37' 36''$ EAST; THENCE RADially SOUTH $64^{\circ} 37' 36''$ WEST 5.00 FEET; THENCE NORTH

$26^{\circ} 01' 30''$ WEST 32.87 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL 4 AND TO THE TRUE POINT OF BEGINNING.



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 721-09
GENERAL CONDITIONS

1. 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.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. 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.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. 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.
7. 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.
8. In accordance with Ordinance No. 04-1322, the owner/applicant shall provide a report which includes plans to eliminate or mitigate any building, plumbing,



electrical and fire code deficiencies that may exist on the subject commercial building located at 20707 S. Avalon Boulevard. The mitigation measures in such report shall be hereby incorporated in these conditions of approval and such report shall be completed and submitted to the Planning Division within 90 days of the Planning Commission's approval, with an additional 90 days permitted to allow for the mitigation measures, if any, to be completed subject to the Planning Division's review and approval

9. The owner/applicant shall repair cracks and uneven surfaces, and re-slurry and re-stripe the parking area for the appropriate number of vehicular, including handicapped parking spaces and bumper stops as called for in the Carson Municipal Code, and in accordance to a plan submitted by the applicant to the city, subject to review and approval by the Planning Division.
10. 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.
11. The owner/applicant shall submit a landscape and irrigation plan. Said plan shall illustrate a ten-foot landscape setback for the portion of the front yard setback along Avalon Boulevard north of the proposed new monument sign location, including the planting of new shrubs, flowering evergreen ground cover, and existing and/or proposed trees. All trees and new shrubs planted shall be maintained by an automatic drip irrigation system. Existing landscaping shall be removed as noted on plans and replaced by the approved landscaping plan. Failure to maintain landscaping will result in Code Enforcement action against the property owner.
12. A demolition permit shall be issued for removal of the existing non-conforming dual-pole sign within 90 days of CUP approval. Such demolition shall be complete and a final for such permit shall be given within 90 days of issuance of said demolition permit.
13. The owner/applicant shall apply for a separate sign permit within 90 days of issuance of demolition permit as described in Condition No. 13 of this Resolution. Approval of said permit shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards of the monument sign pursuant to Sections 9136.7 and 9172.23 of the Carson Municipal Code.
15. 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. The Planning Division shall approve the location and signage for company "used oil recycling" services.
16. Any future building expansions will require a modification request to the Conditional Use Permit.
17. The applicant shall submit façade improvement development plans for the existing building within three years of CUP approval. Such plans shall be subject to design review pursuant to CMC Section 9172.23. Failure to submit within the



time specified will result in expiration of the approved CUP pursuant to CMC Section 9172.21(H)(1)(b).

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 No. 721-09. 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 and 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.

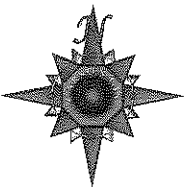
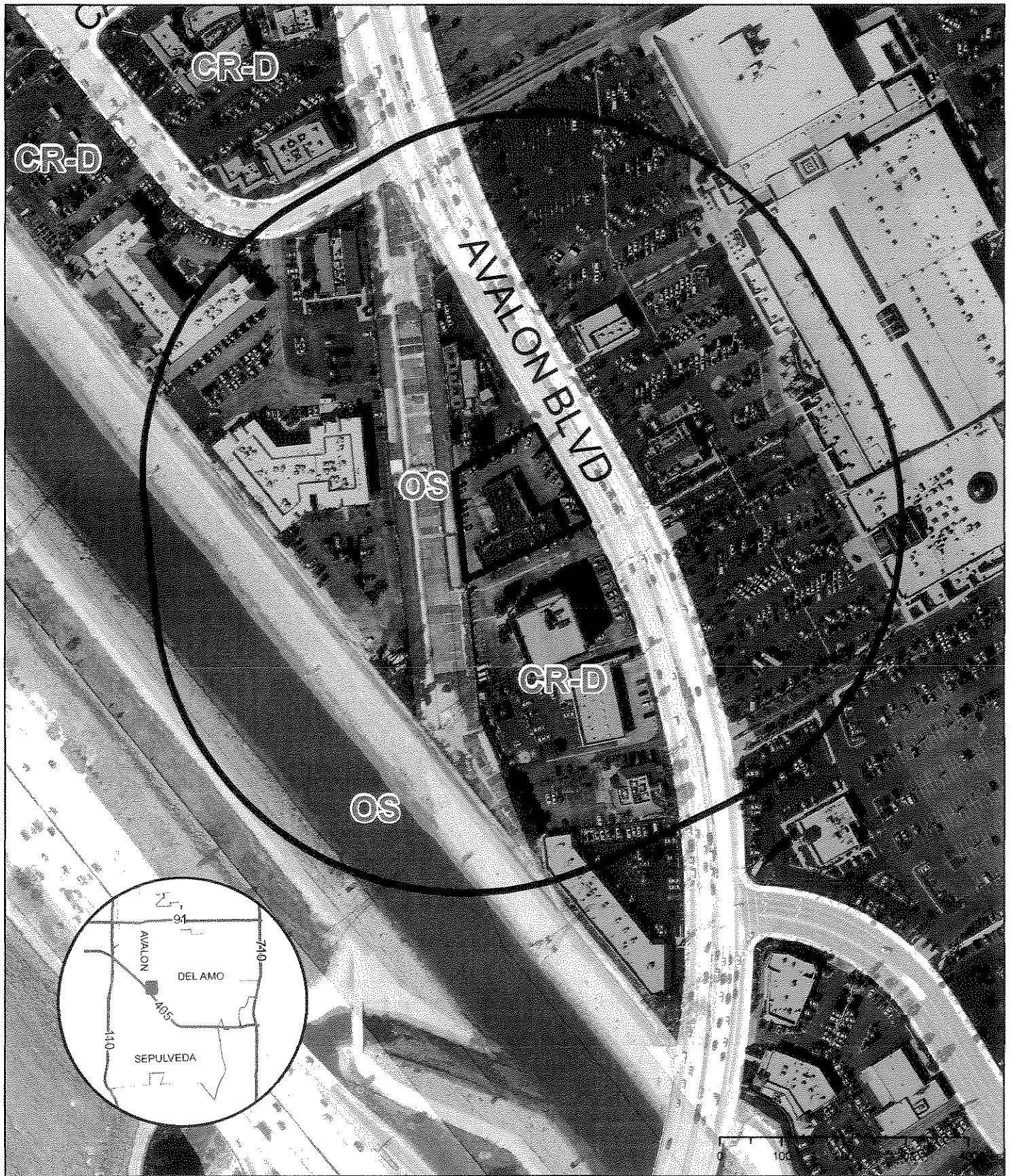
ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

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.





City of Carson
500 Foot Radius Map
20707 Avalon Blvd

EXHIBIT NO. 2 -

Date Printed: Wednesday, October 27, 2010
K:\Addresses\Avalon_Bld\20707\c72109\GIS\20707Map MXD

EXHIBIT NO. 2

ORDINANCE NO. 04-1322

AN ORDINANCE OF THE CITY OF CARSON REGARDING VEHICLE REPAIR AND SERVICE WITHIN THE CR (COMMERCIAL, REGIONAL) ZONE, THE MUR (MIXED USE RESIDENTIAL) OVERLAY DISTRICT AND PROPERTIES IN ALL ZONES WITHIN 100 FEET OF RESIDENTIAL ZONES

THE CITY COUNCIL OF THE CITY OF CARSON DOES ORDAIN AS FOLLOWS:

Section 1. Code Amendment. Section 9131.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended to read as follows:

"ZONES

CN CR CG CA

Repair of all vehicles up to 2-ton capacity (no boats):

**Minor repair as defined in section 9138.11
and subject to the provisions of Section 9138.2
(See Section 9133)**

C L

**Major repair as defined in Section 9138.11 and
subject to the provisions of Section 9138.2 and
Section 9138.15 (for CA zone only)* (See Section
9133)***

L C

Section 2. Code Amendment. Section 9131.13 (Uses Permitted within a Mixed-Use Residential MUR Overlay District) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding paragraph E to read as follows:

"E. Vehicle repair and service is permitted for non mixed-use commercial/residential developments, subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21 and the requirements of Section 9138.2."

Section 3. Code Amendment. Section 9132.2 (Vehicle Sales and Service) of Division 2 (Accessory Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraphs 2, 3, 4 and 7 to read as follows:

"Minor repairs and services (as defined in Section 9138.11) are permitted with an automobile service station or automobile laundry other than a self-service automobile laundry. (See Section 9138.12 and 9138.13) and (Section 9133 for

EXHIBIT NO. 3 -



CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11) incidental to the sale of new automobile parts, and including the installation of seat covers, are permitted with the sale of new automobile parts subject to the requirements of Section 9138.2. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Major repairs and services (as defined in Section 9138.11), as well as minor repairs and services are permitted with motor vehicle sales, subject to the requirements of Section 9138.2 and 9138.15(c). (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11(A)(4)) are permitted with a vehicle auction. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 4. Code Amendment. Section 9133 (Conditional Use Criteria) of Division 3 (Conditional Use Criteria) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new paragraph to read as follows:

"Vehicle Repair and Service:

Compliance with the provisions of Section 9138.2."

Section 5. Code Amendment. Section 9138.12 (Automobile Service Stations) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraph 5 to read as follows:

"A(5). Minor repair and service of automobiles and other motor vehicles, except in CA zone (these uses not permitted within an Automobile Service Station). (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 6. Code Amendment. Section 9138.21 (Vehicle Auctions) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraph

15

4 to read as follows:

"4. Vehicle service and repair may be permitted as an accessory use, subject to Section 9132.2 of this Chapter (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 7. Code Amendment. Section 9138.2 (Vehicle Service and Repair) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by numbering existing paragraphs and adding paragraphs 1 and 8-17 to read as follows:

"The servicing and repair of motor vehicles in the commercial zones at establishments other than retail petroleum outlets* shall be subject to the following:

1. Vehicle repair and service located within 100 feet of any residential zone, as measured from lot line to lot line, shall be subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. Within the CR (Commercial, Regional) zone and MUR (Mixed-Use Residential) Overlay District, a Conditional Use Permit is required regardless of the 100 foot distance requirement.
2. All operations shall be conducted within an enclosed building.
3. All areas or structures in which such operations are conducted shall be so located or soundproofed as to prevent annoyance or detriment to surrounding property. In no case shall doors or windows be permitted in any wall within 100 feet of and facing a residential zone.
4. All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding property or from any adjoining public street or walkway.
5. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
6. No damaged or wrecked vehicles shall be stored for purposes other than repair and shall not constitute a vehicle wrecking, dismantling, or impounding yard, or junk or salvage yard.
7. Dismantling of vehicles for purposes other than repair is prohibited.
8. All display and storage shall be located within an enclosed building.

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Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed 72 hours. Vending machines shall be placed indoors.

9. The entire ground area of the site, except building and planting areas, shall be paved with asphaltic compound or concrete to City standards and shall comply with the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements as stated in Article V Sanitation & Health, Chapter 8 Stormwater & Urban Runoff Pollution Control section of the Carson Municipal Code.
10. Design a repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to sump for collection and disposal or connect to clarifier then sanitary sewer.
11. That development and architectural plans indicating compliance with the provisions of this section and embodying acceptable design standards shall be submitted for approval by the Planning Division and made a condition of an approved Conditional Use Permit.
12. All entrances to rest rooms shall be located within the building in such a manner as not to be visible from adjacent property.
13. Parking shall be provided as follows:
 - a. One automobile parking space shall be provided for each employee on the largest shift.
 - b. Two parking spaces shall be provided for each service bay.
 - c. Spaces are to be striped and provided, as deemed necessary, with bumper guards or wheel stops approved by the Planning Division.
 - d. Vehicles may only be parked in designated parking spaces.
 - e. Parking for all other uses shall comply with Section 9162.21.
14. That landscaping shall be provided as follows:
 - a. Landscaped planters shall be provided along the full length of building facades facing streets or public parking areas.
 - b. All landscaped areas shall be protected by a curb not less than 6 inches in height or a raised planter wall between the landscaping and paved areas.
 - c. Landscaped planters not less than three feet in width shall be provided along all interior lot lines.
 - d. Landscaping shall consist of trees of at least 24-inch box, shrubs of at

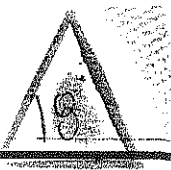


least five gallon size, and suitable ground cover.

- e. All landscaped areas shall be properly maintained in a neat, orderly and safe manner. Such landscaping and maintenance shall include, but not be limited to, the installation and use of an irrigation system, permanently and completely installed, which delivers water directly to all landscaped areas.
15. A solid decorative masonry wall or wrought iron fencing with appropriate landscaping or other such appropriate screening material to the discretion of the Director, six feet in height shall be installed and maintained along interior property lines not occupied by a building, except that any screening located within the required front setback area shall not exceed 3 ½ feet in height.
16. That the requirements and limitations contained in this section shall be considered minimum standards provided, however, that the Planning Commission may:
- a. Require such additional conditions as are deemed necessary within the intent of Section 9172.21(D); or
 - b. Modify such requirements or limitations contained herein, which in the opinion of the Planning Commission, are inappropriate or inapplicable either to the intended use of the property, to the property itself or to adjacent property.
17. Signage shall be of appropriate design as approved pursuant to the Site Plan and Design Review procedures (including number of signs and sign structures to be permitted) as provided in Section 9172.23."

Section 8. Code Amendment. Paragraph (C) of Section 9162.21 (Parking Spaces Required) of Division 2 (Vehicular Parking, Loading and Maneuvering Areas) of Part 6 (General Development Standards) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new sub-paragraph (13) to read as follows:

Use	Off-Street Parking Required
"13. Vehicle Repair and Service	1 parking space shall be provided for each employee on the largest shift, plus 2 parking spaces shall be provided for each service bay. Parking for all other uses shall comply with Section 9162.21. "



Section 9. Code Amendment. Section 9182.22 (Termination of Existing Nonconforming Uses) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding the following language to the table in Paragraph A to read as follows:

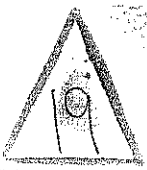
Use	Allowable Life
"Vehicle Repair and Service located within the CR (Commercial, Residential) zone, the Mixed-Use Residential (MUR) Overlay District and properties in all zones within 100 feet of residential zones, subject to Section 9182.26	5 years "

Section 10. Code Amendment. Section 9182.26 (Continuation of Vehicle Repair and Service) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby created to read as follows:

- "A. Existing lawfully established vehicle repair and service uses located within the CR (Commercial, Regional), MUR (Mixed-Use Residential) Overlay District and all zones within 100 feet of residential zones shall obtain a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. An application for a Conditional Use Permit shall be submitted within a 5-year period of the effective date of this ordinance or prior to the termination of the amortization period, whichever provides the greater amount of time.

When approving a Conditional Use Permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in Section 9138.2. The Commission shall require, as a condition precedent to the continued use of the property under the Conditional Use Permit, that a report be submitted by the applicant, which shall provide and include plans to eliminate or mitigate any Building, Plumbing Electrical and Fire Code deficiencies. 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;
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

This section shall not validate any existing illegal vehicle repair and service facilities."

Section 11. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or contrary to state law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or contrary to state law.

PASSED, APPROVED and ADOPTED this 5th day of October, 2004.

ATTEST:

Don S. Kaurigan
CITY CLERK

Jim Dear
MAYOR

APPROVED AS TO FORM:

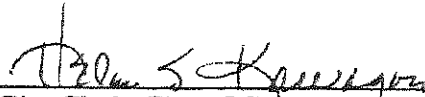
W. W. [Signature]
CITY ATTORNEY



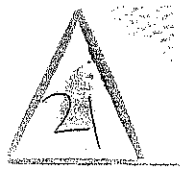
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council of said City is four; that the foregoing ordinance, being Ordinance No. 04-1322 passed first reading on September 21, 2004, was duly and regularly adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 5th day of October, 2004, and that the same was passed and adopted by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Mayor Dear, Calas, Santarina, and Ruiz-Raber
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



City Clerk, City of Carson, California



Elevations

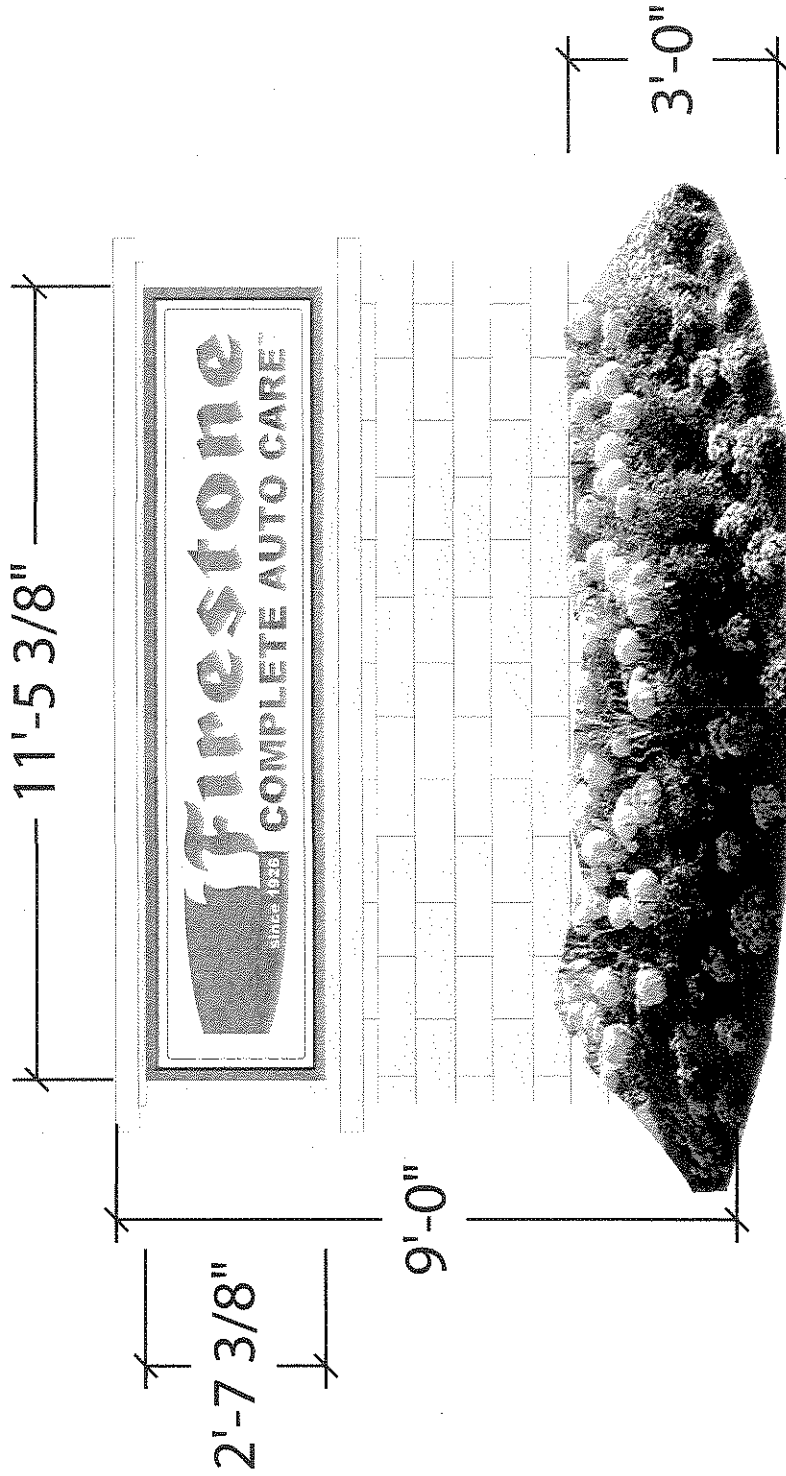


EXHIBIT NO. 4 -

EXHIBIT No. 4

Natura paint in Sherwin Williams
Navajo White color SW 6126

Site ID:	Location: Carson CA	AGI Rep: F.S.	Drawn by: MAR
	Survey ID:	Project Title:	<small>This document is the sole property of Architectural Graphics, Inc. It is to be used only for the project and location specified. It is not to be reproduced, copied, or distributed without the written consent of Architectural Graphics, Inc. The user agrees to indemnify and hold Architectural Graphics, Inc. harmless from any and all claims, damages, and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Architectural Graphics, Inc. in connection with this document. The user's obligation to indemnify Architectural Graphics, Inc. shall survive the termination or expiration of this agreement.</small>
	Date: 10/5/10	Scale: 3/8"=1'	
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STAFF COMMENT
ADJACENT TO
CLOUDED AREA

AVALON BLVD.

PODCAFFRUS GRACILIOR
STREET TREE

EXISTING SIDEWALK
EXISTING CURB
RAPHIOLEPIS 'PINKIE'
PRIVET HEDGE

COLORFUL GROUND COVER
Landscaping to 10
feet for this section

EXISTING RAPHIOLEPIS
TO REMAIN

DAYLILY
EXISTING FLAG POLE

RAPHIOLEPIS 'PINKIE'
UTILITY EASEMENT AS
PER CIVIL ENGINEER'S
DRAWINGS

DAYLILY
EXISTING SIGNAGE
DAYLILY

UTILITY EASEMENT AS
PER CIVIL ENGINEER'S
DRAWINGS
EXISTING HEDGE TO
REMAIN. ALT. REMOVE
HEDGE AND ADD
RAPHIOLEPIS 'PINKIE'
EXISTING TRANSFORMER

NEW CURB
PRIVET HEDGE WITH
MULCH
NEW PLANTING AREA

1 STORY CONCRETE BLOCK BUILDING

EXHIBIT NO. 5 -

EXHIBIT NO. 5

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