



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

UNFINISHED BUSINESS: November 9, 2010
SUBJECT: Conditional Use Permit No. 821-10
OWNER: Altmans Winnebago
APPLICANT/ George Saelzler
Electra – Vision Advertising Corporation
731 West 11th Street
Claremont, CA 91711
REQUEST: A modification to a conditional use permit of an electronic message board sign for Altman Winnebago in the CA zone district and within Redevelopment Project Area No. 1.
PROPERTY INVOLVED: 22020 Recreation Road

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

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

Item No. 10A

I. Introduction

On October 26, 2010, the Planning Commission approved Conditional Use Permit No. 821-10, to add an additional color light-emitting diode (LED) electronic message sign to an existing freeway oriented pylon sign in the CA (Commercial, Automotive) zoning district and within Redevelopment Project Area No. 1. The new electronic sign would replace an existing static cabinet sign on the top portion of the pylon. The existing amber LED sign would be retained. The Planning Commission directed staff to prepare a resolution of approving Conditional Use Permit No. 821-10.

II. Recommendation

That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 821-10; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVE CONDITIONAL USE PERMIT NO. 821-10 FOR AN ADDITIONAL ELECTRONIC MESSAGE SIGN TO AN EXISTING FREEWAY PYLON SIGN LOCATED AT 22020 RECREATION ROAD."

III. Exhibits


1. Resolution of Approval
2. Letter dated September 22, 2010

Prepared by:



Peter Raktiprakorn, Planner

Approved by: Sheri Repp Loadsman, Planning Officer



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
CARSON APPROVING CONDITIONAL USE PERMIT NO. 821-10 FOR AN
ADDITIONAL ELECTRONIC MESSAGE SIGN TO AN EXISTING FREEWAY
PYLON SIGN LOCATED AT 22020 RECREATION ROAD**

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

Section 1. An application was duly filed by George Saelzler of Electra Vision Advertising Corporation, on behalf of Altmans Winnebago R.V. Center Inc., with respect to real property located at 22020 Recreation Road and described in Exhibit "A" attached hereto, requesting a conditional use permit to add an additional color light-emitting diode (LED) electronic message sign to an existing freeway-oriented pylon sign in the CA (Commercial, Automotive) zoning district and within Redevelopment Project Area No. 1. The new electronic sign would replace an existing static cabinet sign on the top portion of the pylon sign.

A public hearing was duly held on August 10, October 12 and October 26, 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. 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) Pursuant to Section 9136.7 of the Carson Municipal Code (CMC), a Conditional Use Permit is required for all electronic message signs. Section 9172.21(D) of the CMC requires that the Planning Commission, by resolution, render its approval based on the ability to make affirmative findings for certain criteria. The proposed project is consistent with goals and objectives of the Land Use Element of the General Plan and the Commercial Automotive District as described in Section 9138.15 of the CMC. Goal LU-5 of the General Plan Land Use Element indicates, "Maximize the City's market potential in order to enhance and retain shopping and entertainment opportunities to serve the population, increase revenues to the City, and provide new employment opportunities." Allowing the applicant to have two electronic message signs would increase advertisement for the business.
- b) The site is adequate in size and shape at 5.48 acres to accommodate the message center sign. The existing pylon sign is freeway-oriented and the proposed color LED sign would replace an existing static sign in the same location on the pylon.
- c) There is adequate street access and traffic capacity, to service the recreation vehicle dealership. The location of the sign structure will not impact the street access or traffic capacity.
- d) The addition of an LED color reader board to an already existing electronic message sign will enhance the ability for the recreational vehicle dealership to conduct business and attract customers on the freeway. This would be compatible with the existing and intended character of the area.

e) Conditions of approval will be imposed to insure that the project will comply with the preservation of the public health, safety, and welfare of persons working in or adjacent to the neighborhood, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City of Carson. Likewise, the proposed use will not adversely impact, nor be adversely impacted by, nearby properties in relation to traffic, parking, noise, vibration, odors, security, aesthetics, or public service capacity and facilities.

f) **Section 4.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 821-10, with respect to the property described in Section 1 hereof.

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"

Conditional Use Permit No. 821-10

COMMONLY KNOWN AS: 22020 Recreation Road and

Described as Follow:

PARCEL 1:

LOT 1 OF TRACT 27833, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 778 PAGES 68 TO 71 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, NAPHTHA, GAS, PETROLEUM OR OTHER HYDROCARBON SUBSTANCES DEPOSITED IN, LYING UNDER OR FLOWING THROUGH SAID LAND, AND ALL METALS AND MINERALS THEREIN OR THEREON, BUT WITH NO RIGHT OF SURFACE OR SUBSURFACE ENTRY, ABOVE A BELOW A DEPTH OF 500 FEET FROM THE PRESENT SURFACE OF THAT PORTION OF LOT 1 WITHIN LOT 40 AND PORTIONS OF LUCERNE STREET AND 220TH STREET THAT WOULD PASS WITH A CONVEYANCE OF SAID LOT 40 OF TRACT NO. 4546, RECORDED IN BOOK 50 PAGES 21 AND 22 OF MAPS, FOR THE EXTRACTION OF SAME, AS RESERVED BY ETHEL HADDOK, A MARRIED WOMAN IN DEED RECORDED SEPTEMBER 16, 1963 AS INSTRUMENT NO. 309 IN BOOK D2182 PAGE 356 OFFICIAL RECORDS.

PARCEL 2:

THOSE PORTIONS OF LOTS 50 AND 51 OF TRACT 4546, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 50 PAGES 21 AND 22 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING GENERALLY NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE MOST EASTERLY CORNER OF THE LAND DESCRIBED IN PARCEL 2 OF DIRECTOR'S DEED D7426.1, RECORDED MAY 2, 1967 IN BOOK D3631 PAGE 120 OF OFFICIAL RECORDS IN SAID OFFICE; THENCE ALONG THE GENERAL SOUTHERLY LINE OF SAID PARCEL 2 THE FOLLOWING THREE COURSES (1) SOUTH 89°50'16" WEST 109.98 FEET; (2) NORTH 0°09'44" WEST 11.00 FEET; (3) SOUTH 89°50'16" WEST 9.69 FEET TO THE SOUTHERLY TERMINUS OF THAT COURSE DESCRIBED AS NORTH 00°09'44" WEST 33.24 FEET IN SAID PARCEL 2; THENCE ALONG THE SOUTHERLY PROLONGATION OF LAST MENTIONED COURSE, SOUTH 00°09'44" EAST 0.08 FEET TO THE EASTERLY CONTINUATION OF THAT CURVE DESCRIBED AS HAVING A RADIUS OF 1894 FEET AND A LENGTH OF 695.95 FEET IN THE GENERAL NORTHERLY LINE OF THE LAND DESCRIBED IN DEED ESTATES PARCEL 7439, RECORDED MARCH 22, 1960 IN BOOK D788 PAGE 546 OF SAID OFFICIAL RECORDS; THENCE WESTERLY ALONG SAID EASTERLY CONTINUATION OF SAID CURVE, FROM A TANGENT WHICH BEARS NORTH 80°10'53" WEST, THROUGH AN ANGLE OF 11°02'20", AN ARC DISTANCE OF 364.98 FEET TO THE EASTERLY TERMINUS OF SAID CURVE.

EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN SAID PARCEL 2 OF SAID DIRECTOR'S DEED.

ALSO EXCEPT THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFROM AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS EXCEPTED BY WALTER A. ROLL, A WIDOWER, IN DEED RECORDED DECEMBER 24, 1959 AS INSTRUMENT NO. 552, AS TO LOT 51 AND AS EXCEPTED BY C.E. GRANT, IN DEED RECORDED JUNE 28, 1957 AS INSTRUMENT NO. 2226 AND BY DEED FROM GIACONO TRANI, ET AL., RECORDED DECEMBER 8, 1959 AS INSTRUMENT NO. 911, AS TO LOT 50.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 821-10

GENERAL CONDITIONS

1. If Conditional Use Permit No. 821-10 is not used within one year of its effective dates this permit shall be declared null and void unless an extension of time is previously 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 approved 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 make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, 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.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as Exhibit(s) to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
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 or 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. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. 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. 821-10. 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 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.

AESTHETICS

10. The specification of all colors and materials of the pylon sign must be submitted and approved by the Planning Division prior to the issuance of any building permits.

SIGNS

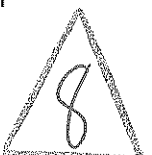
11. All permitted business signs must be in compliance with the provisions of Section 9136.7 of the Zoning Ordinance.
12. The color light-emitting diode (LED) electronic message sign (Color) and amber light-emitting diode (LED) electronic message sign (Amber) for the pylon sign will be sequenced to operate as one (1) display board and shall be subject to Planning Division review and approval prior to the issuance of a building permit for said sign.
13. The display content on each electronic message sign will have material related to each other.
14. The Color display will be graphic orientated only. No more than 15% in area will be used for text. Company logo (s) will be used and will not be considered as text if the context is pictorial and the intent is not to orient the logo to be a dominant theme of the graphic. Graphics shall not scintillate, move or rotate.



15. The Amber display will only use text in the display. A maximum of three (3) lines of text copy will be shown at one time. Text shall not scintillate, move or rotate.
16. Advertising text shall pertain only to the premises upon which the sign is located.
17. The display (s) will change no sooner than eight (8) seconds and blank no sooner than one (1) second. There will be no entry and exit effects.
18. Only a separate professional programming company with at least five (5) years experience will be used to program the displays.
19. The display (s) will be maintained in good working order and/or repaired if necessary.
20. Lighting levels will substantially follow the lighting standards established by the Illuminating Engineering Society of North America (IESNA) and will not increase by more than 0.3 foot candles (over ambient levels) as measured using a foot candle meter at a distance of 130 feet or an agreed upon distance approved by the Planning Division.
21. Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.
22. Any replacement of the Color or Amber signs shall be subject to Planning Commission review and approval. The Planning Commission shall retain the authority to place additional conditions of approval for any significant change to or replacement of either of the electronic message signs.
23. Upon the operation of the Color and Amber signs for a period of six months, the Planning Division may request a report be prepared by qualified lighting professional to verify that the Color and Amber signs are operating in compliance with these conditions and in substantial compliance with the lighting standards established by the Illuminating Engineering Society of North America (IESNA).
24. The existing accessory and product description signs located below the Color and Amber signs shall be removed and the sign structure shall be repaired and repainted. The sign at the top of the pylon sign indicating the City of Carson may be replaced with the name of the business.
25. Any lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

26. The Applicant shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.



27. A construction permit is required for any work to be done in the public right-of-way.
28. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

29. 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.



Electra-Vision Advertising Corporation

September 22, 2010

Mr. Peter Raktiprakorn
City of Carson Planning Division
701 E. Carson Street
Carson, CA 90745

Re: Altmans – Freeway Pylon Sign

Dear Mr. Raktiprakorn,

As per our meeting on September 21, 2010, our company has the following programming guidelines:

“Color and Amber Display”

Color and Amber display boards will be sequenced to operate as one (1) display board.

The display content on each board will have material related to each other. (See attached program examples)

The color display will be graphic orientated only. No more than 15% in area will be used for text. Company logo(s) will be used and will not be considered as text. The amber display will only use text in the display. A maximum of three (3) lines of text copy will be shown at one time.

The display(s) will change no sooner than seven (7) seconds and blank no sooner than one (1) second. There will be no entry and exit effects.

Only a separate professional programming company with at least five (5) years experience will be used to program the displays.

The display(s) will be maintained in good working order and/or repaired, if necessary.

Please review the following attached design changes and programming examples our company has provided.

Sincerely,

George E. Saelzler
President
cc: Joe Altman

731 West 11th Street, Claremont, CA 91711 Tel 909-626-0705 Fax 909-982-2412
State Lic. #747955

EXHIBIT NO. 2 -

