



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 14, 2010

SUBJECT: Conditional Use Permit No. 841-10

APPLICANT: Donald Penny  
MV Transportation  
4620 Westamerica Drive  
Fairfield, CA 94534

PROPERTY OWNER: HPP Carson Partners, LLC  
1500 Quail Street, Suite 210  
Newport Beach, CA 92660

REQUEST: To approve a bus wash station on a site located in the MH (Manufacturing, Heavy) zoning district

PROPERTY INVOLVED: 21222 South Wilmington Avenue

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#### 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. 12A***

## **I. Introduction/Background**

The applicant, Donald Penny is requesting approval of Conditional Use Permit (CUP) No. 841-10 on behalf of MV Transportation to approve a bus wash station located at 21222 South Wilmington Avenue (Exhibit No. 2).

The property site is approximately 5.25 acres and is developed with a 23,750-square-foot warehouse/office building. MV Transportation currently operates the site as a dispatch location, vehicle maintenance area, fueling station, and vehicle parking for the Los Angeles Metropolitan Transit Authority (LAMTA). The CUP is for a bus washing center for buses.

The subject property is zoned MH (Manufacturing, Heavy) and has a General Plan land use designation of Heavy Industrial.

The subject property is bound by heavy industrial uses to the north and east. Across Wilmington Avenue to the west are single family residences and commercial uses. Across 213<sup>th</sup> Street to the south is a transfer station.

The existing building was constructed in 1975 and operated as an equipment manufacturer, sales, and operator until early 2010. In October 2010, MV Transportation occupied the site.

## **II. Analysis**

### *Conditional Use Permits*

Per Carson Municipal Code (CMC) Section 9141.1 – Uses Permitted, an automobile laundry (Bus Wash) is subject to the requirements of CMC Section 9172.21, requiring Planning Commission approval of a Conditional Use Permit.

According to CMC Section 9172.21 – Conditional Use Permit, the Planning Commission shall recommend approval of the proposal if it is able to make affirmative findings based on the following criteria:

#### **a. The proposed use and development will be consistent with the General Plan.**

The proposed project is consistent with the General Plan of the city of Carson in that the subject property is designated for Heavy Industrial and zoned MH (Manufacturing, Heavy). With the approval of a conditional use permit, a bus wash (automobile laundry) is permitted within the MH zone.

#### **b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.**

The proposed project meets the City's design and development standards. The applicant has proposed site upgrades which include a 10-foot landscaped setback and bio-swale along Wilmington Avenue, replacement of existing chain-link fencing with wrought iron, and the addition of fossil filters for the treatment of storm water. The applicant also proposes to add decorative rock basins along the driveways adjacent to 213<sup>th</sup> Street.



With the proposed improvements, the site is adequate in size, shape, topography, location, and utilities to accommodate the addition of a new bus wash facility.

**c. There will be adequate street access and traffic capacity.**

Adequate driveway widths and street access are provided on the site. Since the bus wash facility will only be used for existing operations, there is no intensification of use requiring additional parking spaces. The applicant has proposed modifications to the existing driveways along 213<sup>th</sup> street to improve the flow of ingress and egress traffic. The western driveway on 213<sup>th</sup> street will be limited to ingress only by buses and the eastern driveway on 213<sup>th</sup> will be limited to egress only by buses. All employees and the public will be restricted to using the driveway along Wilmington Avenue.

The proposed bus wash will not remove existing parking, landscaping, or maneuverability on-site.

With the proposed improvements and restricted bus ingress and egress, the project will not affect or impact the safe circulation of either pedestrians or vehicular traffic.

**d. There will be adequate water supply for fire protection.**

The site is existing, therefore adequate water supply for fire protection is currently provided by the Los Angeles County Fire Department.

**e. The proposed use and development will be compatible with the intended character of the area.**

The proposed bus wash facility is permitted with the approval of a conditional use permit by the Planning Commission. The bus wash facility will be used in conjunction with the current operations for maintaining the vehicles and will not be available for public use.

As stated above, the site is bound by heavy industrial uses to the north, east, and south. Across Wilmington Avenue to the west are single family residences and commercial uses. The bus wash facility will operate between the hours of 7: 00 p.m. and 2:00 a.m. and is proposed east of the existing building, minimizing any noise or visibility from Wilmington Avenue.

The proposed bus wash facility is considered to be a compatible use with the surrounding industrial area and will not significantly impact the nearby residential area because it will be located behind the existing building.

With the applicant's proposed improvements, staff believes the proposed development is compatible with the intended character of the area.

**f. Such other criteria as are specified for the particular use in other sections of this chapter (Zoning Ordinance).**

The proposed project is subject to the requirements of Carson Municipal Code (CMC) Section 9138.13 (Automobile Laundries).

The project meets all the minimum requirements stated within this section.

Staff believes no additional requirements or limitations are needed.



Therefore, the project meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations subject to compliance with the conditions of approval. Therefore all of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Commission Findings and Decision" can be made in the affirmative.

### III. Environmental Review

Pursuant to Section 15303 – New Construction or Conversion of Small Structures (Class 3) of the California Environmental Quality Act (CEQA), the approval of a conditional use permit for a new bus wash (automobile laundry) located at the project site is exempt. The project does not have the potential to cause a significant effect on the environment.

### IV. Recommendation

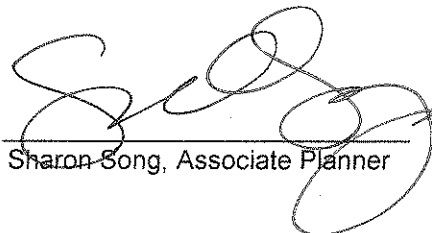
That the Planning Commission:

- APPROVE Conditional Use Permit No. 841-10; and
- WAIVE further reading and ADOPT Resolution No. 10-\_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 841-10 TO PERMIT THE CONSTRUCTION OF A NEW BUS WASH FACILITY (AUTOMOBILE LAUNDRY) LOCATED AT 21222 SOUTH WILMINGTON AVENUE."

### V. Exhibits

1. Draft Resolution
2. Site Map
3. Development Plans (under separate cover)


Prepared by:

  
Sharon Song, Associate Planner

Reviewed by:

  
John F. Signo, AICP, Senior Planner

Approved by:

  
Sheri Repp-Loadsman, Planning Officer



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 10-XXXX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 841-10  
TO PERMIT THE CONSTRUCTION OF A NEW BUS WASH  
FACILITY (AUTOMOBILE LAUNDRY) LOCATED AT 21222 SOUTH  
WILMINGTON AVENUE**

**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, Donald Penny on behalf of MV Transportation, with respect to real property located at 21222 South Wilmington Avenue, and described in Exhibit "A" attached hereto, requesting approval of Conditional Use Permit No. 841-10 to construct a new bus wash facility (automobile laundry) on a property located in the MH (Manufacturing, Heavy) zone.

A public hearing was duly held on December 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 Heavy Industrial with which the proposed use is compatible. The proposed bus wash facility will be compatible with the surrounding area and will be appropriate for the subject property.
- b) The bus wash facility is designed to meet the City's requirements, including aspects of site planning, land coverage, landscaping, appearance and scale of structures, and other features relative to a harmonious and attractive development of the area. The facility will be located behind the existing building and will not be visible from residences across Wilmington Avenue.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use and development. The surrounding land uses are primarily industrial uses and the proposed project is intended to support those uses.
- d) The proposal provides adequate and safe circulation on site and to the adjacent public streets. Street access and traffic will not be adversely impacted by the project. Safe circulation is provided for pedestrians and traffic. The bus wash facility will be located in an area currently open and vacant, thus will not impact parking, landscaping, or circulation.
- e) The proposed bus wash facility is attractive and designed to be compatible with the surrounding area.



- f) The project meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations subject to compliance with the conditions of approval. Therefore all of the required findings pursuant to Section 9172.21 (D), "Conditional Use Permit, Commission Findings and Decision" can be made in the affirmative.

**Section 4.** The Planning Commission further finds that the proposed project will not have a significant effect on the environment and that the project is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 – New Construction or Conversion of Small Structures (Class 3).

**Section 5.** Based on the aforementioned findings, the Commission hereby approves of Conditional Use Permit No. 841-10 with respect to the properties 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 14<sup>th</sup> DAY OF December, 2010**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**



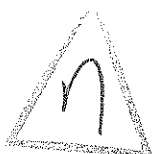
**LEGAL DESCRIPTION**

**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCELS 1, 2 AND 3 OF PARCEL MAP 6648, RECORDED IN BOOK 108, PAGES 36 AND 37 OF PARCEL MAPS, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

APN: 7316-028-003, 7316-028-004, 7316-028-005



**CITY OF CARSON**  
**DEVELOPMENT SERVICES GROUP**  
**PLANNING DIVISION**  
**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 841-10**

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Conditional Use Permit No. 841-10, said permit(s) shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.





8. 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.
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. 841-10. 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.

#### PARKING

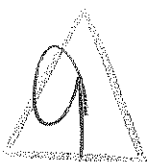
10. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

#### LANDSCAPING/IRRIGATION

11. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
12. The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
13. Landscaping shall be provided with a permanently installed, automatic irrigation system.

#### FENCES/WALLS

14. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (Industrial Zones) of the Zoning Ordinance.



### LIGHTING

15. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (Commercial Zones) of the Zoning Ordinance.

### BUILDING AND SAFETY

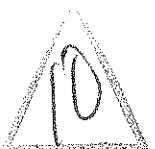
31. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.
32. The proposed project shall meet all requirements of the American Disabilities Act (ADA).

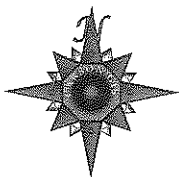
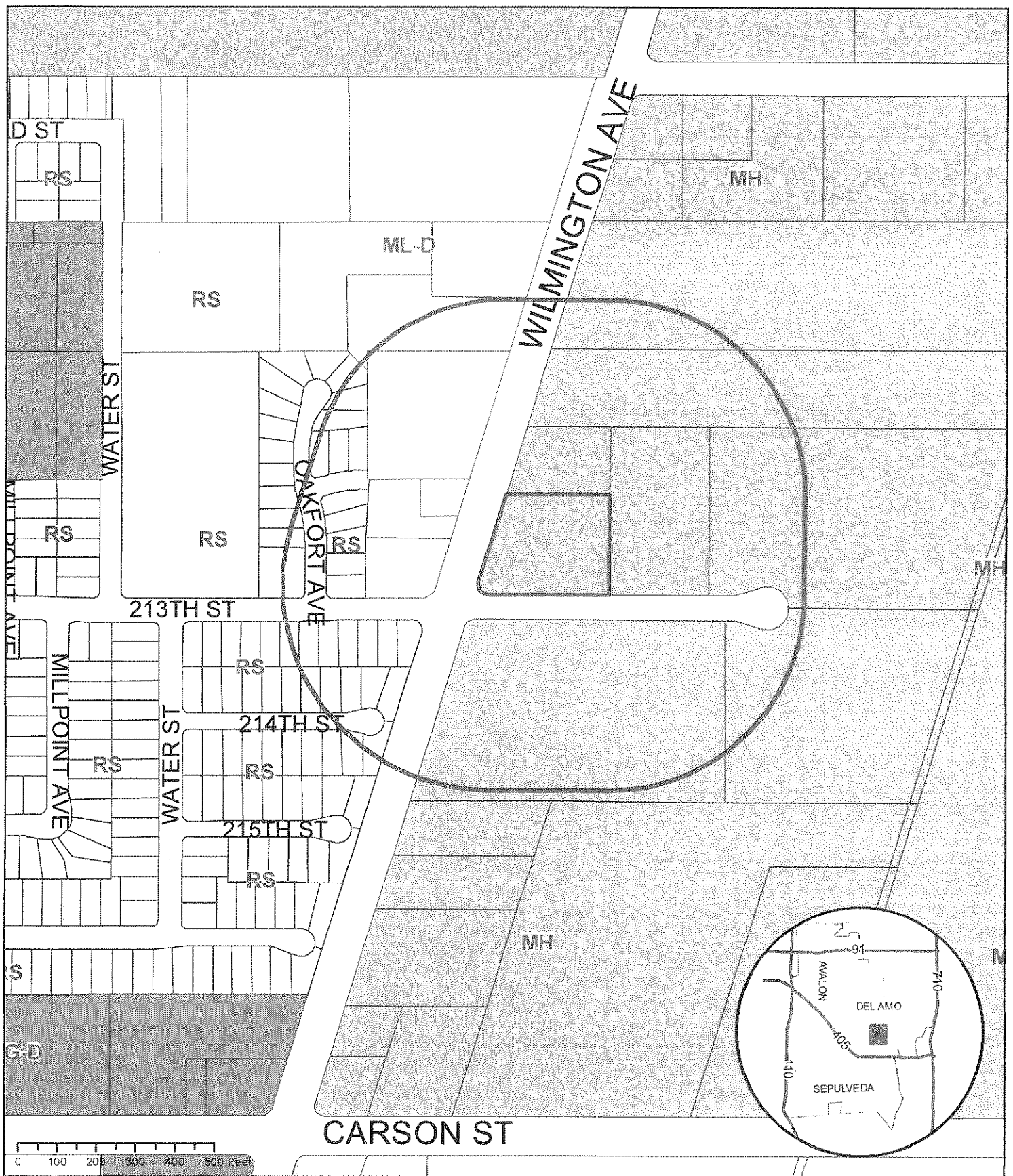
### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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

### OTHER

34. All buses shall be dried on-site prior to being allowed onto public streets.
35. The bus wash facility shall not be open to the public and may only be used for on-site buses operated by MV Transportation.





City of Carson  
500 Foot Radius Map  
21222 Wilmington Ave