



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 11, 2011

SUBJECT: Conditional Use Permit No. 819-10

APPLICANT: Pat Brown
5390 East 8th Street
Long Beach, CA 90804

PROPERTY OWNER: John Hong
16845 South Main Street
Gardena, CA 90248

REQUEST: To approve an existing Auto Dismantling Yard in the MH (Manufacturing, Heavy) zoning district

PROPERTY INVOLVED: 16845 South Main Street

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. 11B

I. Introduction/Background

The applicant, Pat Brown is requesting approval of Conditional Use Permit (CUP) No. 819-10 on behalf of B&H Auto Wrecking for an existing auto dismantling yard located at 16845 South Main Street (Exhibit No. 2).

The property site is approximately 0.6-acre and is developed with a 1,810-square-foot office/showroom building for an auto dismantling yard. B&H Auto Wrecking currently occupies and operates at the site, however auto dismantling has occurred on the site since 1965. Per city records, the existing office/showroom and storage racks were constructed and permitted in 1965, prior to the city's incorporation in 1968.

The city concurrently adopted the Los Angeles County Zoning Code during its incorporation in 1968. At that time, the existing auto dismantling yard at the subject property (16845 South Main Street) automatically became a legal non-conforming use subject to an amortization period. The amortization period to submit for a Conditional Use Permit has expired, however the site is still eligible for a Conditional Use Permit. With the approval of a CUP, the auto dismantling yard is permitted within the MH zone per CMC Section 9141.1.

The subject property is zoned MH (Manufacturing, Heavy) and has a General Plan land use designation of Heavy Industrial. The site is also within the Redevelopment Project Area.

The subject property is bound by heavy industrial uses to the west, south, and across Main Street to the east. Directly north of the site is a permitted auto dismantling yard.

II. Analysis

Conditional Use Permits

Per Carson Municipal Code (CMC) Section 9141.1 – Uses Permitted, an auto dismantling yard is subject to the requirements of CMC Section 9172.21, requiring Planning Commission approval of a Conditional Use Permit and CMC Section 9148.1 – Vehicle Dismantling Yards, Junk and Salvage Yards, Vehicle Impounding Yards.

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, an auto dismantling yard is permitted within the MH zone. The site has been operating as an auto dismantling yard since 1965, prior to the city's incorporation in 1968 and was recognized as a permitted use in the city's zoning ordinance in 1977 with the approval of a CUP. Code Enforcement has not received any complaints regarding the operators.

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 and the requirements stated in CMC Section 9148.1 for auto dismantling yards. All operations and storage, including equipment used to conduct business will be conducted within an enclosed area.

Currently, all operations are conducted within an enclosed area and/or in the existing office building, however a small portion of storage is visible from the public right-of-way above a 7-foot block wall. The applicant proposes to increase the block wall to 8 feet and relocate the storage to the rear of the property, away from visibility. The applicant has also proposed site upgrades in compliance with CMC Section 9148.1 which include additional landscaping along the front yard setback, replacement of the pedestrian gate, new striping for parking spaces, repair and repaving of damaged asphalt on-site, removal of painted signs, and the installation of catch basins with filters for the treatment of storm water.

With the proposed improvements, the site is adequate in size, shape, topography, location, and utilities to accommodate the auto dismantling yard.

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

Adequate driveway widths and street access are provided on the site. The applicant has provided a minimum of five (5) parking spaces on-site including a handicap space and unloading area. The applicant has proposed modifications to the existing site to improve the flow of ingress and egress traffic. Storage located east of the site will be relocated to the rear of the property to provide adequate drive aisle widths and parking.

With the proposed improvements, 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 existing auto dismantling yard is permitted with the approval of a conditional use permit by the Planning Commission. The site is surrounded by heavy industrial uses and has been operating as an auto dismantling yard since 1965. Based on staff's inspections, the site is well-maintained and its operations are hidden from street traffic. All operations are conducted behind the enclosed area. The applicant will increase the existing 7-foot high block wall fence to 8 feet and provide site upgrades such as additional landscaping and re-striping of parking spaces, which are visible from the public right-of-way. In addition, site is adjacent to another auto dismantling yard.

The existing auto dismantling yard is considered to be a compatible use with the surrounding industrial area. With the applicant's proposed improvements, the use 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 9148.1 – Vehicle Dismantling Yards, Junk and Salvage Yards, Vehicle Impounding Yards. The project meets all the minimum requirements stated within this section and staff believes no additional requirements 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 15301 – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the approval of a conditional use permit for an existing auto dismantling yard 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. 819-10; and
- WAIVE further reading and ADOPT Resolution No. 11-_____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 819-10 TO PERMIT AN AUTO DISMANTLING YARD LOCATED AT 16845 SOUTH MAIN STREET."




V. Exhibits

1. Draft Resolutions
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. 11-XXXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 819-10
TO PERMIT AN AUTO DISMANTLING YARD LOCATED AT 16846
SOUTH 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, Pat Brown on behalf of B&H Auto Wrecking with respect to real property located at 16846 South Main Street, and described in Exhibit "A" attached hereto, requesting approval of Conditional Use Permit No. 819-10 to permit an existing auto dismantling yard on a property located in the MH (Manufacturing, Heavy) zone.

A public hearing was duly held on January 11, 2011, at 6:30 P.M. at the Community Room, Juanita Millender-McDonald Community Center, 801 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 use will be compatible with the surrounding area and will be appropriate for the subject property.
- b) The auto dismantling yard 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 site meets the requirements in Carson Municipal Code Section 9148.1 – Vehicle Dismantling Yards, Junk and Salvage Yards, Vehicle Impounding Yards.
- 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 street. Street access and traffic will not be adversely impacted by the project. Safe circulation is provided for pedestrians and traffic. Site upgrades, such as restriping and repaving of asphalt, additional landscaping, and restriping parking spaces are proposed, thus the project will improve parking, landscaping, and circulation.



- e) The project site is attractive and designed to be compatible with the surrounding area. All activities will be enclosed and screened from public view. All storage and activities will be screened behind an 8-foot high block wall.
- 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 15301 – Existing Facilities (Class 1).

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 819-10 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 11th DAY OF January, 2011

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

The South 100 feet of the following described property:

Those portions of Lots 1 and 4 of Ducazau Tract, in the city of Carson, as per map recorded in Book 53, page 12 of Miscellaneous Records, in the office of the county recorder of said county, bounded by the following described lines:

Beginning at a point in the Easterly line of said Lot 1 distant 30 feet Southerly thereon from the Northeast corner of said Lot 1; thence Southerly along the Easterly lines of said Lots 1 and 4, a distance of 425.00 feet; thence Westerly parallel with the Northerly parallel with the said Easterly line, a distance of 425.00 feet to a line that is parallel with the Northerly line of said Lot 1 and that passes through the point of beginning; thence Easterly along said parallel line, a distance of 300.00 feet to the true point of beginning.

EXCEPT therefrom the East 20 feet of the South 73.70 feet, dedicated for street purposes.

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CITY OF CARSON
DEVELOPMENT SERVICES GROUP
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 819-10

GENERAL CONDITIONS

1. If a building permit or business license is not issued within one year of the date of approval of Conditional Use Permit No. 819-10, 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, if required. 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. 819-10. 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.
11. All broken or damaged asphalt shall be repaired and repaved prior to issuance of business license.
12. A minimum 5 feet of landscaping must be provided along the front yard setback. Landscape shall be provided along the building and to the front property line.
13. All parking must be striped per city requirements.

LANDSCAPING/IRRIGATION

14. The applicant shall submit two sets of landscaping and irrigation plans drawn for Planning Division approval. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.

FENCES/WALLS

15. 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.



16. All barbed wire and bars on windows shall be removed.

LIGHTING

17. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (Industrial Zones) of the Zoning Ordinance.

BUILDING AND SAFETY

18. 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.
19. The proposed project shall meet all requirements of the Americans with Disabilities Act (ADA).

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

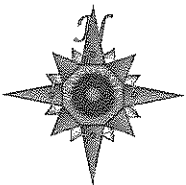
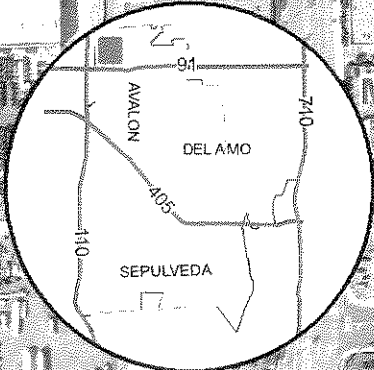
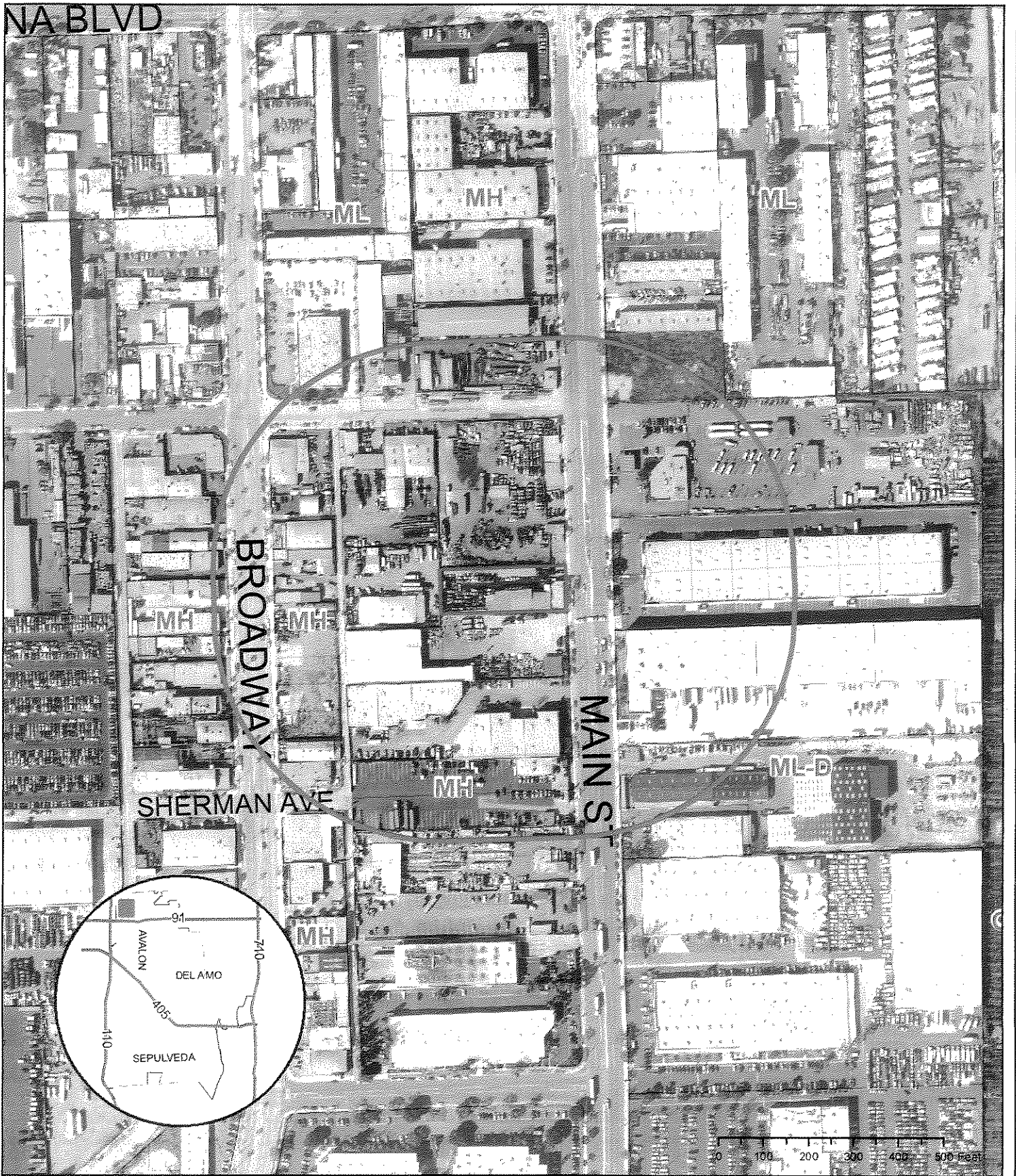
20. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the project, including but not limited to contractors and subcontractors, will need to obtain a valid City Business License.

OTHER

21. All painted and/or unpermitted signs must be removed within 90 days of approval. Removal of unpermitted signs will be subject to the satisfaction of the Planning Division.
22. All canopies on-site must obtain building permits within 90 days of approval or be removed.



NA BLVD



City of Carson
 500 Foot Radius Map
 16845 Main St

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12