



**CITY OF CARSON**

**PLANNING COMMISSION STAFF REPORT**

**PUBLIC HEARING:** February 8, 2011

**SUBJECT:** Conditional Use Permit No. 723-09; Conditional Use Permit No. 793-10; Conditional Use Permit No. 794-10; Conditional Use Permit No. 795-10; Conditional Use Permit No. 809-10; Conditional Use Permit No. 853-10

**APPLICANT/PROPERTY OWNER:** Craig Ekberg  
22029 S. Figueroa Street  
Carson, CA 90745

**REQUEST:** To approve five (5) individual existing, non-conforming auto repair uses located on the subject property and within 100 feet of a residential zone. Conditional Use Permit No. 853-10 proposes a shared parking agreement to accommodate a billiards (pool) hall to be open after regular business hours. The subject property is within the CG-D (Commercial General, Design Overlay) zoning district.

**PROPERTY INVOLVED:** 22025, 22027, 22029 S. Figueroa Street

**COMMISSION ACTION**

- Concurred with staff
- Did not concur with staff
- Other

**COMMISSIONERS' VOTE**

<b>AYE</b>	<b>NO</b>		<b>AYE</b>	<b>NO</b>	
		<b>Chairman Faletogo</b>			<b>Gordon</b>
		<b>Vice-Chair Park</b>			<b>Saenz</b>
		<b>Brimmer</b>			<b>Schaefer</b>
		<b>Diaz</b>			<b>Verrett</b>
		<b>Goolsby</b>			

***Item No. 11B***

## I. Introduction

The applicant and property owner, Craig Ekberg on behalf of Navarro Auto Services, The Windshield Doctor, SBR Auto Repair (and Carson Billiards), Danny's Smog, and GIGATT Auto Repair is requesting approval of the following conditional use permits:

- Conditional Use Permit No. 723-09: Navarro Auto Service, an existing auto repair facility conducting general automotive repairs, located at 22029 S. Figueroa Street, Unit No. 1;
- Conditional Use Permit No. 793-10: The Windshield Doctor, an existing auto repair facility specializing in automotive windshield repair located at 22027 S. Figueroa Street;
- Conditional Use Permit No. 794-10: SBR Auto Repair (formerly Karzone), an existing auto repair facility conducting general automotive repairs, located at 22029 S. Figueroa Street, Unit No. 2;
- Conditional Use Permit No. 795-10: Danny's Smog, an existing smog check and auto repair facility located at 22029 S. Figueroa Street, Unit No. 4;
- Conditional Use Permit No. 809-10: GIGATT Auto Repair, an existing auto repair facility conducting general automotive repairs, located at 22029 S. Figueroa Street, Unit No. 3;
- Conditional Use Permit (for shared parking) No. 853-10: Carson Billiards, which is the same owner currently doing business as SBR Auto Repair, wishes to operate a two-table pool hall after-hours within the currently closed auto accessories shop located at 22025 S. Figueroa Street, adjacent to The Windshield Doctor, and seeks approval of a conditional use permit for shared parking to accommodate such use.

Each auto repair business and pool hall leases a separate tenant space from the property owner, Craig Ekberg.

The property is comprised of two parcels, totaling approximately 38,656 square feet (0.88 acre) and is occupied by two multi-tenant commercial buildings. One is a two-story, 11,686-square-foot structure constructed in 1996 and approved by DOR No. 637-96. The second structure is one-story, 4,406 square feet built in 1947 and rehabilitated in 1996. The subject property is zoned CG-D (Commercial General, Design Overlay), has a General Plan land use designation of General Commercial and is within Redevelopment Project Area No. 4.

Adjacent to the south side of the subject property are two 3-story condominium buildings. A church is located to the north, separated by ramps to the 110 Freeway, the off-ramp is adjacent to the west side of the subject property. To the east, across S. Figueroa Street is Stephen M. White Middle School. A pedestrian bridge crossing S. Figueroa Street and the freeway is adjacent to the north boundary of the subject property.



## II. Background

The existing two-story commercial building is occupied by four (4) of the six (6) applicants, all within separate tenant spaces. The tenants of this building are: A-1 All American Roofing, which occupies the entire 2<sup>nd</sup> floor; Navarro Auto Service; SBR Auto Repair; GIGATT Auto Repair; and Danny's Smog. The one-story building contains The Windshield Doctor and Carson Billiards, as well as other tenants, including Salon De Belleza Tapa, MJ Party Supply, and COI Tools. Each of the tenants occupy spaces which range from approximately 700 square feet to 1,000 square feet. Each automotive repair business is owned by a sole proprietor who employs himself as the primary business employee. Every business being considered for a CUP, and otherwise mentioned in this report holds a current and active business license, except for the proposed billiards use which is awaiting CUP approval prior to obtaining a business license.

### *Previously Approved Permits*

There are two existing mono-pole type cellular telecommunication facilities located in the northwest corner of the site, which are considered existing, non-conforming with respect to development standards set forth in Section 9138.16 of the Carson Municipal Code (CMC). The first is 50-foot high approved by Design Overlay Review No. 529-90 and Conditional Use Permit No. 370-90 and was constructed in 1991 by Pac-Tel Cellular. The second 50-foot high mono-pole was approved by Design Overlay Review No. 637-96 and Conditional Use Permit No. 444-96 and was constructed by Cox Communication in 1997. A communications and electronics equipment enclosure is located on the ground adjacent to the poles.

Two additional roof-mounted cellular telecommunications facilities are located on the 2-story building occupying small areas of each side of the building and set back behind parapet extensions designed to match the existing building façade. The first set of roof-top telecommunication panels was approved by Design Overlay Review No. 904-05 and constructed in 2006. The second set was approved by a Modification to Design Overlay Review No. 904-05 and has yet to be constructed.

### *Auto Repair Ordinance*

On October 5, 2004, the Carson City Council passed Ordinance No. 04-1322, which requires a conditional use permit (CUP) for any auto repair use located within one-hundred (100) feet of a residential zone or within the CR (Commercial, Regional) zoning district. The five existing auto repair businesses under consideration for a CUP are all within 100 feet of a residential zone.

In compliance with CMC Section 9138.2, the applicants and property owner submitted the CUP applications between February 19, 2009 and May 3, 2010 for consideration by the Planning Commission.

## III. Analysis

### *Conditional Use Permit Nos. 723-09, 793-10, 794-10, 795-10, 809-10 (Auto Repair)*

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 General Commercial and zoned CG-D (Commercial, General – Design Overlay). Auto repair uses have been operating on the site since at least 1996.

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

The proposed project generally meets the City's design and development standards. The applicant will be required to remove any unpermitted signage, structures, and banners. Any unpermitted business requires closure. The site and buildings are adequate in size, shape, topography, location, and utilities to accommodate the proposed auto repair uses.

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

Adequate driveway widths are provided on the site. Appropriate access is available for circulation and to ensure safety for pedestrians and motorists. Generally, 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.**

Prior to the issuance of building permits, the Los Angeles County Fire Department will ensure adequate water supply for fire protection is provided.

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

The use is considered legal non-conforming with the approval of a conditional use permit by the Planning Commission. The project generally meets all applicable design standards and guidelines of the Municipal Code.

Auto repair uses have been operating on the site since at least 1996, and the existing buildings and uses are compatible to the current and 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 in CMC Section 9138.2 – Vehicle Service and Repair. The project meets all the minimum requirements stated within this section, however CMC Section 9138.2 (16) states, "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 CMC 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."



A CUP can only be approved by the Planning Commission if certain affirmative findings can be made, including providing adequate on-site parking and meeting applicable development standards contained in Carson Municipal Code (CMC) Section 9138.2. The Planning 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 repair 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.

The landscaping is mature, decorative, and provides adequate screening of the automotive repair uses and therefore meets the intent of Section 9138.2 of the CMC. The exterior facades of the existing structures were either constructed new or rehabilitated in 1996 to contemporary design standards. The existing slurry, asphalt, and driveways are well-maintained and in good condition with no obvious potholes, or structural failures. The drainage system is contemporary and in good operating condition. New striping for vehicular parking areas has been added as a condition of approval.

Staff believes no additional requirements or limitations are needed. The auto repair facilities are an existing use within existing buildings. The facility will be upgraded with the approval of the conditional use permits by removal of unpermitted structures, signage, and business(es).

Therefore, the proposed uses meet the goals and objectives of the General Plan and are 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" and Section 9138.2, "Vehicle Service and Repair" can be made in the affirmative.

*Conditional Use Permit (for Shared Parking) No. 853-10 (Carson Billiards)*

There are currently 48 parking spaces available on-site. There are 10 tenant spaces, which include office, retail, and auto repair uses that utilize the existing parking. Per CMC 9162.21 – Parking Spaces Required, each separate use requires different parking standards based on their floor area and principal use. The current tenants occupying the buildings require a minimum of 41 parking spaces when operating at the same time. The applicant, Carson Billiards, requires an additional parking demand of 15 parking spaces, resulting in a deficit of 8 parking spaces, if operating simultaneously with other uses on the property.

Based on the parking requirements of CMC 9162.21, the proposed billiards use requires additional parking to operate at the proposed location. However, CMC Section 9162.24(B) - Automobile Parking Spaces Required for Mixed Uses states, "when two or more uses share a parking facility, and when demonstrated by a signed affidavit that the hours of their demand do not substantially overlap, then the parking

requirements may be reduced by the Planning Commission through the approval of a Conditional Use Permit”.

Pursuant to CMC Section 9162.24(B), the Planning Commission may approve a shared parking use subject to the following requirements:

1. The applicant shall show evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed; and
2. Any reduction in parking shall not decrease the total number of parking spaces below the level necessary to meet the collective peak parking demand for all participating uses; and
3. The Commission shall make a finding that there is adequate parking available for all affected lots, parcels and uses located thereon.

The existing businesses currently operate between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, and 8:00 a.m. and 8:00 p.m. Saturdays. All businesses on the site are closed Sundays. All of the tenants and their hours of operation are listed below:

Use (Business Name)	Hours of Operation
Office (A-1 All American Roofing)	M-F 8:00 a.m. – 5:00 p.m.
Auto Repair (Navarro Auto Repair)	M-Sat 8:00 a.m. – 8:00 p.m.
Auto Repair (SBR Auto Repair)	M-Sat 10:00 a.m. – 7:00 p.m.
Auto Repair (GIGATT Auto Repair)	M-Sat 9:00 a.m. – 5:00 p.m.
Auto Repair (Danny’s Smog)	M-F 9:30 a.m. – 6:00 p.m., Sat 9:30 a.m. – 4:00 p.m.
Auto Repair (The Windshield Dr.)	M-F 9:00 a.m. – 5:00 p.m., Sat as needed (1p close)
Service (Salon De Belleza Tapa)	M-F 11:00 a.m – 7:00 p.m, Sat 8:00 a.m. – 5:00 p.m.
Retail (MJ Party Supply)	M-F 7:00 a.m – 5:00 p.m, Sat. 10:00 a.m. – 3:00p.m.
Service (COI Tools)	M-F 8:00 a.m – 6:00 p.m, Sat. 8:00 a.m. – 3:00 p.m.
<b><u>PROPOSED</u></b> Entertainment (Carson Billiards)	<b><u>PROPOSED</u></b> M-Sat 8:00 p.m. – 1:00 a.m.



The applicant (Carson Billiards) proposes to be fully operational during off-peak hours (after 8:00 p.m.), Monday through Saturday. Carson Billiards will be the only business open onsite during those times. The off-peak parking available is 48 parking spaces. The total floor area in the billiards tenant space is 520 square feet, of which only 320 square feet is used for two pool tables. The rest of the tenant space is comprised of a small office area and restroom. Thus, the area calculated for parking is 320 square feet. CMC Section 9162.21(c)(1) requires a ratio of one space per 21 square feet. Therefore, the parking required for the billiards use based upon floor area is 320/21, or 15 spaces.

There is a wrought-iron, self-closing gate located near the southwest corner of the property which separates the general auto repair uses and additional office parking areas. There are eight parking spaces available outside the gate, accessible from S. Figueroa Street when the gate is closed. The gate will therefore have to remain open during the billiards' business hours in order to have the seven additional required parking spaces available to customers. See *Issues of Concern* section for further explanation.

The applicant has yet to provide a signed property owner agreement that would facilitate joint use of off-street parking facilities as required by the CMC. A condition of approval is contained in Exhibit "B" of the draft resolution (Exhibit No. 1) which requires the applicant to produce the agreement within 30 days of CUP approval, if approved. Said agreement will provide evidence that no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed will occur.

If there are any changes to operating hours or an expansion of use, the conditional use permit will be subject to Planning Commission review and approval.

#### *Additional Development Plan Review*

The proposed shared parking CUP is subject to the approval of a development plan in accordance with the CUP procedures as provided in the Carson Municipal Code (CMC) Section 9172.21 and subject to CMC Sections 9162.24(B) – Automobile Parking Spaces Required for Mixed Uses.

According to CMC Section 9172.21 – Conditional Use Permit, the Planning Commission may approve 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 General Commercial uses and zoned CG-D (Commercial, General – Design Overlay). Shared parking and the billiard use are permitted within the CG-D zoning district.

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

The site is adequate in size, shape, topography, location, and utilities to accommodate shared parking.



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

Adequate driveway widths are provided on the site. Appropriate easements are available for circulation and to ensure safety for pedestrians and motorists.

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

Prior to the issuance of building permits and/or change of occupancy certificate, the Los Angeles County Fire Department will ensure adequate water supply for fire protection is provided.

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

The billiards and shared parking uses are permitted within the CG-D zoning district. Shared parking 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).**

All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Commission Findings and Decision" and Section 9162.24 (B), "Automobile Parking Spaces Required for Mixed Uses", can be made in the affirmative, if conditions of approval are implemented.

*Issues of Concern*

**Issue: Unpermitted Signage:** There is an inoperable vehicle located in the first parking stall on the southeast corner of the subject property currently being used as a sign area display. Code enforcement has cited the business, Danny's Smog, in the past for violations of applicable zoning codes pertaining to business signs (CMC Section 9136.7), which state that business signs shall be subject to site plan and design review, pursuant to CMC Section 9172.23. This type of sign is unorthodox, atypical, occupies a required parking space, unfair to other businesses on site, and has not been approved. Staff does not support the display concept or the sign itself.

**Mitigation:** A condition of approval has been added which requires the removal of all unpermitted sign structures, including banners, and the inoperable vehicle sign.

**Issue: Unpermitted Business:** According to business license records, there is a business license on file for Alvaro Auto Detail, operating an office use out of 22028 S. Figueroa Street. A field investigation found that an unpermitted auto detail station, including an unpermitted shading structure, was in full operation without benefit of an approved CUP or development plan. The unpermitted shade structure was also occupying required parking spaces. Code enforcement cited the business owner for operating without benefit of an approved CUP. The applicant did not submit a CUP application, and there is not one currently being considered in this report. Due to the fact that there is not an available tenant space for the auto detail use to operate in compliance with applicable zoning codes, staff supports code enforcement action to seek closure of the unpermitted business.

**Mitigation:** A condition of approval has been added which requires that any unpermitted business be closed, effective immediately. This matter has been referred to Code Enforcement.





Issue: Unpermitted Structure(s): A field investigation conducted by staff found unpermitted structures built on the site, including two tilt-up shade awnings, wherein an unpermitted auto detail business and automotive repair were being conducted outside. Both structures occupy approved parking spaces which are required to be maintained and available as parking spaces for customers and/or vehicles awaiting repair. Sections 9138.2(b)(2) and 9138.2(2) of the CMC requires all repair and service activities to be conducted within an enclosed building.

Mitigation: A condition of approval has been added which requires that any unpermitted structures be removed, effective immediately, and all repair and service activities be conducted within an enclosed building.

Issue: Vehicles Awaiting Repair: According to CMC Section 9138.2, Vehicle Service and Repair, sub-section no. 8 states that "vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours". A field investigation conducted by staff discovered that there were vehicles awaiting repair that appeared parked for much longer than 72 hours. Some tenants stated that such vehicles caused problems for them and their customers because those vehicles occupy required parking spaces, and causes other vehicles to park temporarily in unapproved spaces, which then obstructs maneuvering areas and drive aisles, etc.

Mitigation: A condition of approval has been added which requires that any vehicles parked for more than 72 hours be removed, effective immediately. A standard condition of approval which is included in the attached resolution, states that the project and related uses shall comply with all applicable zoning codes, including Section 9138.2, regarding automotive repair facilities, or face potential revocation of approved permits and/or business licenses for a persistent failure to comply.

Issue: Carson Billiards Shared Parking Arrangement: As mentioned above, the proposed billiards use requires 15 parking spaces, which are available during the proposed hours of operation when all other businesses are closed. However, only eight parking spaces are available from outside the wrought-iron self-closing gate, which are accessible from S. Figueroa Street when the gate is closed. The proposed location of the billiards business is located within the one-story building on the east side of the property and has doors opening onto S. Figueroa Street that are accessible to the public outside the gate. In order to provide the seven additional required parking spaces and make them available to customers, the gate will have to remain open during the billiard's business hours. This has caused some concern amongst other tenants in the buildings, and has been raised as a possible issue of contention because they are concerned about customer's vehicles that may be stored outside, and also public access to their facilities after-hours. The last business to close Monday through Saturday is Navarro's Auto Repair at 8:00 p.m. Mr. Navarro is typically the one to close the gate and it remains closed until 8:00 a.m. the next morning, except on Sundays where it remains closed for the day.

Staff suggested that the applicant, Carson Billiards, modify their floor plan such that only 8 parking spaces would be required and therefore, the gate would not have to remain open. However, that would only allow approximately 168 square feet of area (including the pool tables) for the billiards use, which the applicant contends is insufficient to operate effectively.

Mitigation: The resolution provides a condition of approval which requires that Planning Commission review the billiards use in six (6) months to verify if negative impacts have resulted from the shared parking arrangement. An additional condition of approval requires that the applicant provide a security plan to planning and the sheriff's department which includes hours of operation, rules of conduct, and other necessary information. The applicant may be required to install a video surveillance system if deemed necessary. However, staff seeks the Commission's input and advice on the following options to mitigate the potential security issue related to after-hours public access behind the gate:

- Require the gate to remain open so that additional spaces are available, if needed;
- Move the gate back to provide more vehicle spaces outside the gate;
- Whether practicality dictates that the eight available spaces, plus off-street parking adjacent to the site is sufficient to accommodate the use;
- Restrict the use to only a smaller floor to such an extent that only 8 parking spaces are required (8 x 21 = 168 square feet);

Any necessary conditions of approval will be added to the resolution.

#### IV. Environmental Review

Pursuant to Section 15301 – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the approval of the proposed conditional use permits for five (5) existing auto repair facilities and a shared parking agreement for the proposed billiards hall located on the same site is exempt. The project does not have the potential to cause a significant effect on the environment.

#### V. Recommendation

That the Planning Commission:

- APPROVE Conditional Use Permit No. 723-09, Conditional Use Permit No. 793-10, Conditional Use Permit No. 794-10, Conditional Use Permit No. 795-10, Conditional Use Permit No. 809-10, and Conditional Use Permit No. 853-10;
- 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. 723-09 TO PERMIT AN EXISTING AUTO REPAIR FACILITY (NAVARRO AUTO SERVICE) LOCATED AT 22029 S. FIGUEROA STREET UNIT 1"; 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. 793-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY (THE WINDSHIELD DOCTOR) LOCATED AT 22027 S. FIGUEROA STREET"; 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. 794-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY (SBR AUTO REPAIR) LOCATED AT 22029 S. FIGUEROA STREET UNIT 2"; 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. 795-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY (DANNY'S SMOG) LOCATED AT 22029 S. FIGUEROA STREET UNIT 4"; 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. 809-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY (GIGATT AUTO REPAIR) LOCATED AT 22029 S. FIGUEROA STREET UNIT 3"; 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. 853-10 TO PERMIT A SHARED PARKING AGREEMENT BETWEEN TENANTS TO ACCOMMODATE A (TWO-TABLE) BILLIARDS HALL LOCATED AT 22023 S. FIGUEROA STREET."

**VI. Exhibits**

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

Prepared by:   
Steven Newberg, AICR, Associate Planner

Reviewed by:   
John F. Signo, AICP, Senior Planner

Approved by:   
Sheri Repp, Planning Officer



**CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 723-09 TO PERMIT AN EXISTING AUTO REPAIR FACILITY  
(NAVARRO AUTO SERVICE) LOCATED AT 22029 S.  
FIGUEROA STREET UNIT 1**

**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 property owner, Craig Ekberg, on behalf of the applicant, Navarro Auto Service, with respect to real property located at 22029 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 723-09 to authorize the existing auto repair use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

A public hearing was duly held on February 8, 2011, 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 General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto repair facility that will continue to provide adequate street access and traffic capacity. Customer parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility. The existing 48 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 and adequate water supply is provided in the area for fire protection.



- e) The existing development is consistent with the intended character of the area.
- 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 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) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 723-09 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 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 723-09

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 49' 30" WEST 148.69 FEET; THENCE NORTH 24° 15' 40" EAST A DISTANCE OF 80.11 FEET; THENCE 89° 57' 01" EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH 89° 43' 28" EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 723-09**  
**GENERAL CONDITIONS**

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 723-09, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The 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 owner/applicant shall repair the asphalt and/or concrete, where necessary, then re-slurry and re-stripe for the appropriate number of parking spaces and bumper stops as called for in the Carson Municipal Code and per specifications detailed in the approved development plan.



8. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit(s) shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently the CG-D (Commercial, General – Design Overlay) zoning district.
9. All unpermitted sign structures shall be removed, effective immediately. If 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
10. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.
11. All vehicles are prohibited from backing on to Figueroa Street. If 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.
12. In accordance with Ordinance No. 04-1322, the owner/applicant will 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 buildings located at 22023-22029 South Figueroa Street. 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.
13. 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.
14. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
15. 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.
16. All unpermitted structures shall be removed, effective immediately.

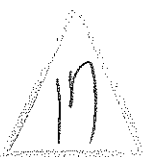




17. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
18. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.
19. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.
20. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
21. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.
22. Post signs at sinks to remind employees not to pour wastes down drains.
23. 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. 723-09. 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.

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

24. 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.
25. All businesses currently operating on the site without benefit of an approved business license or necessary planning entitlements shall be removed, effective immediately.



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 793-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY  
(THE WINDSHIELD DOCTOR) LOCATED AT 22027 S.  
FIGUEROA 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 property owner, Craig Ekberg, on behalf of the applicant, The Windshield Doctor, with respect to real property located at 22027 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 793-10 to authorize the existing auto repair use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

A public hearing was duly held on February 8, 2011, 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 General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto repair facility that will continue to provide adequate street access and traffic capacity. Customer parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility. The existing 48 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 and adequate water supply is provided in the area for fire protection.



- e) The existing development is consistent with the intended character of the area.
- 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 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) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 793-10 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 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 793-10

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH  $0^{\circ} 49' 30''$  WEST 148.69 FEET; THENCE NORTH  $24^{\circ} 15' 40''$  EAST A DISTANCE OF 80.11 FEET; THENCE  $89^{\circ} 57' 01''$  EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH  $89^{\circ} 43' 28''$  EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 793-10**

**GENERAL CONDITIONS**

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 793-10, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The 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 owner/applicant shall repair the asphalt and/or concrete, where necessary, then re-slurry and re-stripe for the appropriate number of parking spaces and bumper stops as called for in the Carson Municipal Code and per specifications detailed in the approved development plan.



8. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit(s) shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently the CG-D (Commercial, General – Design Overlay) zoning district.
9. All unpermitted sign structures shall be removed, effective immediately. If 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
10. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.
11. All vehicles are prohibited from backing on to Figueroa Street. If 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.
12. In accordance with Ordinance No. 04-1322, the owner/applicant will 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 buildings located at 22023-22029 South Figueroa Street. 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.
13. 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.
14. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
15. 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.
16. All unpermitted structures shall be removed, effective immediately.



17. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
18. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.
19. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.
20. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
21. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.
22. Post signs at sinks to remind employees not to pour wastes down drains.
23. 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. 793-10. 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.

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

24. 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.
25. All businesses currently operating on the site without benefit of an approved business license or necessary planning entitlements shall be removed, effective immediately.



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 794-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY  
(SBR AUTO REPAIR) LOCATED AT 22029 S. FIGUEROA  
STREET UNIT 2**

**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 property owner, Craig Ekberg, on behalf of the applicant, SBR Auto Repair, with respect to real property located at 22029 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 794-10 to authorize the existing auto repair use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

A public hearing was duly held on February 8, 2011, 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 General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto repair facility that will continue to provide adequate street access and traffic capacity. Customer parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility. The existing 48 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 and adequate water supply is provided in the area for fire protection.





- e) The existing development is consistent with the intended character of the area.
- 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 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) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 794-10 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 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 794-10

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 49' 30" WEST 148.69 FEET; THENCE NORTH 24° 15' 40" EAST A DISTANCE OF 80.11 FEET; THENCE 89° 57' 01" EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH 89° 43' 28" EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 794-10**

**GENERAL CONDITIONS**

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 794-10, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The 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 owner/applicant shall repair the asphalt and/or concrete, where necessary, then re-slurry and re-stripe for the appropriate number of parking spaces and bumper stops as called for in the Carson Municipal Code and per specifications detailed in the approved development plan.



8. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit(s) shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently the CG-D (Commercial, General – Design Overlay) zoning district.
9. All unpermitted sign structures shall be removed, effective immediately. If 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
10. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.
11. All vehicles are prohibited from backing on to Figueroa Street. If 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.
12. In accordance with Ordinance No. 04-1322, the owner/applicant will 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 buildings located at 22023-22029 South Figueroa Street. 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.
13. 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.
14. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
15. 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.
16. All unpermitted structures shall be removed, effective immediately.



17. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
18. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.
19. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.
20. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
21. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.
22. Post signs at sinks to remind employees not to pour wastes down drains.
23. 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. 794-10. 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.

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

24. 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.
25. All businesses currently operating on the site without benefit of an approved business license or necessary planning entitlements shall be removed, effective immediately.



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 795-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY  
(DANNY'S SMOG) LOCATED AT 22029 S. FIGUEROA STREET  
UNIT 4**

**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 property owner, Craig Ekberg, on behalf of the applicant, Danny's Smog, with respect to real property located at 22029 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 795-10 to authorize the existing auto repair use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

A public hearing was duly held on February 8, 2011, 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 General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto repair facility that will continue to provide adequate street access and traffic capacity. Customer parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility. The existing 48 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 and adequate water supply is provided in the area for fire protection.



- e) The existing development is consistent with the intended character of the area.
- 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 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) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 795-10 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 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 795-10

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 49' 30" WEST 148.69 FEET; THENCE NORTH 24° 15' 40" EAST A DISTANCE OF 80.11 FEET; THENCE 89° 57' 01" EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH 89° 43' 28" EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.





**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 795-10**

**GENERAL CONDITIONS**

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 795-10, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The 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 owner/applicant shall repair the asphalt and/or concrete, where necessary, then re-slurry and re-stripe for the appropriate number of parking spaces and bumper stops as called for in the Carson Municipal Code and per specifications detailed in the approved development plan.



8. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit(s) shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently the CG-D (Commercial, General – Design Overlay) zoning district.
9. All unpermitted sign structures shall be removed, effective immediately. If 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
10. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.
11. All vehicles are prohibited from backing on to Figueroa Street. If 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.
12. In accordance with Ordinance No. 04-1322, the owner/applicant will 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 buildings located at 22023-22029 South Figueroa Street. 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.
13. 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.
14. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
15. 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.
16. All unpermitted structures shall be removed, effective immediately.



17. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
18. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.
19. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.
20. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
21. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.
22. Post signs at sinks to remind employees not to pour wastes down drains.
23. 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. 795-10. 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.

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

24. 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.
25. All businesses currently operating on the site without benefit of an approved business license or necessary planning entitlements shall be removed, effective immediately.



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 11-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 809-10 TO PERMIT AN EXISTING AUTO REPAIR FACILITY  
(GIGATT AUTO REPAIR) LOCATED AT 22029 S. FIGUEROA  
STREET UNIT 3**

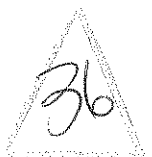
**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,  
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** An application was duly filed by the property owner, Craig Ekberg, on behalf of the applicant, GIGATT Auto Repair, with respect to real property located at 22029 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 809-10 to authorize the existing auto repair use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

A public hearing was duly held on February 8, 2011, 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 General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use.
- c) The project involves acquiring a CUP for an existing auto repair facility that will continue to provide adequate street access and traffic capacity. Customer parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility. The existing 48 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 and adequate water supply is provided in the area for fire protection.



- e) The existing development is consistent with the intended character of the area.
- 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 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) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 4.** Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 809-10 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 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 809-10

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 49' 30" WEST 148.69 FEET; THENCE NORTH 24° 15' 40" EAST A DISTANCE OF 80.11 FEET; THENCE 89° 57' 01" EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH 89° 43' 28" EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 809-10**  
**GENERAL CONDITIONS**

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 809-10, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The 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 owner/applicant shall repair the asphalt and/or concrete, where necessary, then re-slurry and re-stripe for the appropriate number of parking spaces and bumper stops as called for in the Carson Municipal Code and per specifications detailed in the approved development plan.



8. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit(s) shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently the CG-D (Commercial, General – Design Overlay) zoning district.
9. All unpermitted sign structures shall be removed, effective immediately. If 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
10. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.
11. All vehicles are prohibited from backing on to Figueroa Street. If 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.
12. In accordance with Ordinance No. 04-1322, the owner/applicant will 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 buildings located at 22023-22029 South Figueroa Street. 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.
13. 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.
14. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
15. 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.
16. All unpermitted structures shall be removed, effective immediately.





17. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
18. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.
19. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.
20. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
21. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.
22. Post signs at sinks to remind employees not to pour wastes down drains.
23. 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. 809-10. 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.

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

24. 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.
25. All businesses currently operating on the site without benefit of an approved business license or necessary planning entitlements shall be removed, effective immediately.



CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 11-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 853-10 TO PERMIT A SHARED PARKING AGREEMENT BETWEEN TENANTS TO ACCOMMODATE A (TWO-TABLE) BILLIARDS HALL LOCATED AT 22025 S. FIGUEROA 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 property owner, Craig Ekberg, on behalf of the applicant, Carson Billiards, with respect to real property located at 22025 S. Figueroa Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 853-10 for shared parking to authorize a shared parking agreement to accommodate a billiards (pool hall) use in the CG-D (Commercial, General-Design Overlay Review) zoning district.

The public hearing was duly held on February 8, 2011, 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.** Pursuant to Carson Municipal Code (CMC) Section 9172.21, Conditional Use Permit and Section 9162.24, Automobile Parking Spaces Required for Mixed Uses, the Planning Commission finds that:

- a) The property lies within the area designated on the General Plan as available for General Commercial uses and bears a consistent zoning classification of CG-D (Commercial, General – Design Overlay). The proposed billiards use adheres to the goals and policies described in the Land Use Element of the General Plan for the General Commercial designation and is also a permitted use in the CG-D zone.
- b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. The subject property is approximately 0.88 acres, which is in excess of the minimum size required for commercial lots in the CG zone for this use. Accordingly, the site has sufficient space to accommodate the proposed use and shared parking arrangement.
- c) There are 48 parking spaces onsite. The current tenants occupying the buildings require a minimum of 41 parking spaces when operating at the same time. The applicant requires 15 spaces, based upon the floor area used for billiards (entertainment) purposes, which is an additional parking demand of 8 parking spaces, if operating simultaneously with other uses on the property.
- d) The applicant intends to operate the billiards business after-hours, beginning at 8:00 p.m. until 1:00 a.m., Monday through Saturday. Because no other businesses onsite are open during those times, there is an adequate number of parking spaces available to comply with the requirements under the CMC.

42

- e) Adequate water supply for fire protection is provided on-site.
- f) The applicant will provide a signed property owner agreement that would facilitate joint use of off-street parking facilities as required by the CMC. Said agreement, provides evidence that no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed will occur.
- g) The proposed CUP application for shared parking to facilitate the billiards use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to CMC Section 9172.21 (D), "Conditional Use Permit, Approval Authority and Findings and Decision" and CMC Section 9162.24 (B), "Automobile Parking Spaces Required for Mixed Uses" can be made in the affirmative.

**Section 4.** Pursuant to Section 15301 of the California Environmental Quality Act (CEQA) – Existing Facilities, the proposed shared parking arrangement is "Categorically Exempt". No significant environmental impacts would result from this proposal.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 853-10 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 8<sup>th</sup> DAY OF FEBRUARY, 2011.**

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

**ATTEST:**

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

43

CITY OF CARSON  
ECONOMIC DEVELOPMENT  
PLANNING DIVISION  
EXHIBIT "A"  
LEGAL DESCRIPTION  
CONDITIONAL USE PERMIT NO. 853-10

Property Address: 22019-22029 South Figueroa Street

THAT PORTION OF LOT 57 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT WITH THE WESTERLY LINE OF THE EASTERLY 235.00 FEET OF SAID LOT 57; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 29.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH  $0^{\circ} 49' 30''$  WEST 148.69 FEET; THENCE NORTH  $24^{\circ} 15' 40''$  EAST A DISTANCE OF 80.11 FEET; THENCE  $89^{\circ} 57' 01''$  EAST A DISTANCE OF 150.00 FEET TO THE WEST LINE OF FIGUEROA STREET, 100.00 FEET WIDE; THENCE NORTHERLY ALONG SAID WEST LINE 32.29 FEET TO THE NORTHERLY LINE OF SAID LOT 57; THENCE ALONG SAID NORTHERLY LINE SOUTH  $89^{\circ} 43' 28''$  EAST A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, A DISTANCE OF 305.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 206 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 853-10**

GENERAL CONDITIONS

1. If a business license permit and change of occupancy certificate for said use is not issued within one year of the date of approval of Conditional Use Permit No. 853-10, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of any development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. The applicant 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. The property owner shall provide evidence that existing and future tenant leases reflect acknowledgement/agreement to the shared parking agreement and operation of hours.
9. Any future expansions to the billiards area will require a modification request to the Conditional Use Permit subject to review and approval by the Planning Division. Substantial modifications shall require review and approval by the Planning Commission.
10. Changes to the tenant uses shall warrant review and approval by the Planning Division for compliance with the shared parking requirements. The applicant shall submit an updated table showing hours of operation to the Planning Division in the event an intensification of use is proposed. The updated table shall be submitted no later than 30 days after the modification of such use. The Planning Division shall review tenant changes to ensure the hours of operations between tenants in the development do not substantially overlap as to create a parking impact. Substantial changes in tenancy shall warrant review and approval by the Planning Commission.
11. The subject pool hall shall limit special events to weekends only. Special events (i.e. tournaments, contests, celebrations, etc.) shall be prohibited on weeknights unless authorized by the Planning Division at least five (5) days prior to the event. If authorized by the Planning Division, weeknight events shall occur after 8:00 p.m but not later than 1:00 a.m.
12. Alcohol sales are prohibited within the billiards hall.
13. A security plan shall be reviewed and approved by the LA County Sheriff's Office and Carson Planning Division prior to the issuance of building occupancy and/or business license. If deemed necessary, digital security cameras with remote internet access approved by the LA County Sheriff's Office shall be installed to monitor the interior and exterior of the premises. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement up request.
14. The Planning Commission is required within 180 days of CUP approval to review the appropriateness of the use on the subject property. A report of negative impacts, if any, found resulting from the billiards use, whether on-premises or off-premises, will be forwarded to the Planning Commission for review and approval.
15. The applicant shall submit a legal instrument approved by the Director as to form and content that shows evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed prior to issuance of the Certificate of Occupancy.



16. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 853-10. 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.
17. The hours of operation shall comply with the following table. Modifications to the parking table below, including changes in use shall require review and approval by the Planning Division. Substantial modifications, as determined by the Planning Division shall require review and approval by the Planning Commission.

**A-1 All American Roofing Complex Tenant Use (22023-22029 S. Figueroa Street)**

ADDRESS /UNIT	S.F.	Parking Req.	Parking spaces Req.	TENANT	HOURS
22029/1	956	2 per bay + 1employee	3	Navarro Auto Repair	M-Sat, 8a-8p
22029/2	1,044	2 per bay + 1employee	3	SBR Auto Repair	M-Sat 10a-7p
22029/3	1,044	2 per bay + 1employee	3	GIGGATT Auto Repair	M-Sat 9a-5p
22029/4	1,044	2 per bay + 1employee	3	Danny's Smog	M-F 9:30a-6p, Sat 9:30a-4p
22027	1,142 (660+442)	2 per bay + 1employee	3	The Windhsield Doctor.	M-F 9a-5p, Sat 9a-1p
22029	4,800	1/300	16	A-1 All American Roofing	M-F 8a-5p
22029/5	600	1/300	2	Alvaro Auto Detail (office only)	M-Sat 8a-5p
22019	750	1/300	2	COI Tools	M-F 8a-6p, Sat 8a-3p
22021	995	1/300	3	MJ Party Supply	M-F 7a-6p, Sat 10a-3p
22025	520 (320 for billiards use)	1/21	15	Carson Billiards	M-Sat 8a-1a
22023	700	1/300	2	Salon De Belleza Tapa	M-F 11a-7p, Sat 8a-5p
<b>TOTAL</b>			<b>55</b>		



BUILDING AND SAFETY

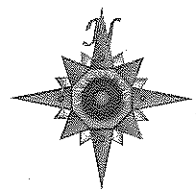
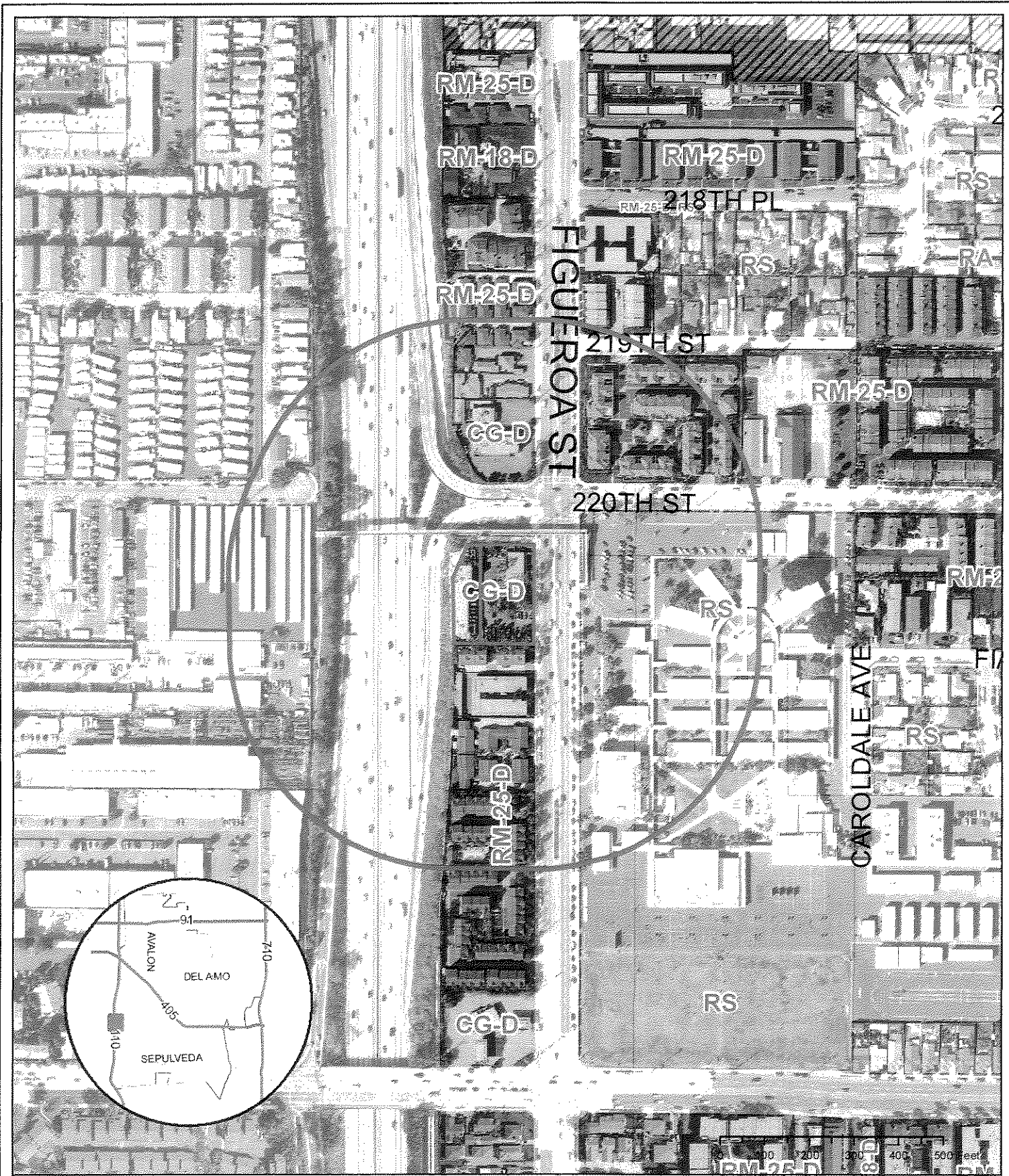
18. A certificate of occupancy/change in occupancy must be issued by the Los Angeles County Building and Safety division prior to occupancy and issuance of Business License.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

19. 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.
20. All business activities incidental to the primary billiards use occurring on the subject property, such as food sales, or other use, which may be subject to a business license requirement shall obtain such business license (and/or other regulatory agency approval) prior to engaging in such activity.







City of Carson  
 500 Foot Radius Map EXHIBIT NO. 2 -  
 22023, 22027 and 22029 Figueroa St

