



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: February 8, 2011  
SUBJECT: Conditional Use Permit No. 721-09  
APPLICANT: Firestone (Bridgestone Retail Operations, LLC)  
c/o: Robert Sundstrom (Huitt-Zollars, Inc.)  
430 Exchange, Suite 200  
Irvine, CA 92602-1315  
REQUEST: To approve a Conditional Use Permit for Firestone, an existing tire and wheel sales and auto repair store on a site located in the CR-D (Commercial, Regional-Design Overlay) zoning district  
PROPERTY INVOLVED: 20707 S. Avalon Boulevard

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#### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

#### COMMISSIONERS' VOTE

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

***Item No. 10A***

## I. Introduction

This item was continued from the November 9, 2010, November 23, 2010, December 14, 2010, and January 11, 2011 Planning Commission public hearings at the request of the applicant in order to provide time for his client to evaluate the physical and financial effects of the recommended conditions of approval contained in Exhibit "B" of the attached Resolution (Exhibit No. 1). In particular, the applicant requested to further examine the conditions relating to removal of the pylon sign, the façade remodel performance deadline of three years, and increasing the landscape in the front yard to ten feet along the northeastern portion of the site. These issues were discussed in the "*Issues of Concern*" section in the November 9, 2010 staff report to the Planning Commission (Exhibit No. 2).

## II. Background

Staff has had contact with the applicant since the last public hearing, including numerous phone calls and a site visit walkthrough. The applicant and staff have achieved amenable terms regarding all of the conditions of approval except one (see *Issues of Concern*), and staff is supportive of the proposed project subject to the conditions of approval.

The following improvements are planned for the site and have been incorporated into conditions of approval in Exhibit "B" of the attached resolution:

- Building Façade: New roof treatment in the form of foam cornice attachments, a new dual-color paint scheme, including stucco repair as needed, and decorative score lines.
- Landscaping: Removal and replacement of existing landscaping in all setback areas, including repair and/or replacement of existing irrigation lines, as needed.
- Signs: Removal of the existing non-conforming dual-pole sign. New monument sign within the front yard setback along Avalon Boulevard. Removal and replacement of existing wall signs with new logo signs.
- Groundwork: Repair of broken concrete, patching of failed asphalt, reslurry, restripe of entire parking lot. New curb and gutter along the rear property line with proper drainage flow toward existing catch basin at southwest corner of property.
- Fencing: Removal of existing chain-link fence along rear property line. New six-foot high, decorative steel fence to be constructed along entire rear property line, with the addition of adjacent three-foot wide landscape planter.
- Building and Property Inspection Repairs: In October, 2010, pursuant to Ordinance No. 04-1322, the applicant submitted a building inspection report which includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies that may exist on the subject commercial building. Many of the repairs noted as needing correction in the inspection report have already been corrected, such as the electrical panel box cover and labeling.



Most of the other repairs noted, particularly those outside on the property grounds, such as repair of broken concrete and restriping of the parking lot will be mitigated through conditions of approval contained in the attached resolution. The applicant will be given 120 days to mitigate any remaining issues contained in the report, subject to inspection by the Planning Division at the end of the 120-day term.

*Issue of Concern*

- Issue – Front Yard Setback: The existing front yard landscape setback is legal, non-conforming with respect to its width. Section 9162.51 of the CMC requires a ten-foot landscape setback along the public right-of-way. At the November 9, 2010 public hearing, staff recommended requiring that the north side of the front yard setback (north of the proposed monument sign) be increased to a ten-foot wide landscape section. This continues to be a cause of concern for the applicant who contends that a ten-foot setback would be detrimental to the business plan and would hinder vehicular access through the site, turning radii for vehicles on the site, and would result in the loss of parking spaces. Although staff recommends that Condition of Approval No. 11 contained in Exhibit "B" of the Resolution remain as is, the applicant is unwilling to waiver on their opposition to this condition.

Apart from the information discussed above, no additional information is being presented at this time. The findings remain the same as in the November 9, 2010 staff report. Therefore, staff recommendation is unchanged.

**III. Recommendation**

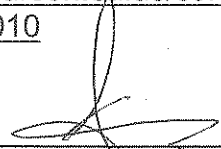
That the Planning Commission:

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

**IV. Exhibits**

1. Draft Resolution
2. November 9, 2010 Staff Report for Conditional Use Permit No. 721-09, without exhibits.
3. Building and Property Inspection Report, Dated October, 2010
4. Proposed Development Plans for Elevation and Sign Modifications
5. November 23, 2010, December 14, 2010, and January 11, 2011 Planning Commission Staff Reports for Conditional Use Permit No. 721-09 (including exhibits) available on the internet by following this link:



**Prepared by:**   
Steve Newberg, AICP, Associate Planner

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

**Approved by:**   
Sheri Repp-Loadsman, Planning Officer

scn/c72109p020811



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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 721-09 FOR AN AUTOMOBILE TIRE SALES AND REPAIR  
BUSINESS LOCATED AT 20707 S. AVALON BOULEVARD**

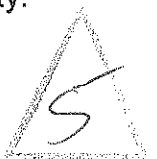
**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,  
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** An application was duly filed by Huitt-Zollars, Inc. on behalf of the applicant, Firestone (Bridgestone Retail Operations, LLC), with respect to real property located at 20707 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 721-09 to authorize the continued use of the existing tire and wheel sales and auto repair store located in the CR-D (Commercial, Regional-Design Overlay Review) zoning district. On November 4, 2004, Ordinance No. 04-1322 became effective requiring existing automobile repair and service stations in the CR-D (Commercial, Regional - Design Overlay) to obtain a conditional use permit (CUP) for continued operations.

Public hearings were duly held on November 9, 2010, November 23, 2010, December 14, 2010, and January 11, 2011 at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, and The Juanita Millender-McDonald Community Center, 3 Civic Plaza Drive, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 2.** The Planning Commission finds that:

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



The existing 21 parking spaces onsite are sufficient to comply with applicable zoning codes for the use.

- d) The existing facility provides adequate access for emergency vehicles, including the Fire Department, by way of a large common driveway and parking lot that wraps around the building. There is adequate water supply and access for emergency vehicles in the area for fire protection.
- e) The existing development is complementary and consistent with the intended character of the area, in terms of providing for community needs. The site is surrounded by commercial uses, including a similar automobile tire sales and service center.
- f) The existing non-conforming dual-pole sign will be demolished and replaced with a new monument sign located further south on the east side of the property. The existing wall sign will remain. As such, the signs on the property conform to applicable zoning codes and contribute to an aesthetic improvement to the property and positively impact commercial properties in the vicinity.
- g) The use will comply with the City's development standards for auto repair facilities as outlined in Section 9138.2 of the CMC.

**Section 3.** The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly commercial character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e), Existing Facilities, of the CEQA (California Environmental Quality Act) Guidelines.

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

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

**Section 6.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF FEBRUARY, 2011**

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

**ATTEST:**

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



## EXHIBIT "A"

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

## PARCEL A:

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

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

## PARCEL B:

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

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

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



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

1. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any minor revisions shall be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
8. In accordance with Ordinance No. 04-1322, the owner/applicant has provided a report which includes plans to eliminate or mitigate any building, plumbing,





electrical and fire code deficiencies that may exist on the subject commercial building located at 20707 S. Avalon Boulevard. The mitigation measures in such report shall be hereby incorporated in these conditions of approval with 120 days permitted to allow for the mitigation measures, if any, to be completed subject to the Planning Division's review and approval.

9. The owner/applicant shall repair cracks and uneven surfaces, and re-slurry and re-stripe the parking area for the appropriate number of vehicular, including handicapped parking spaces and bumper stops as called for in the Carson Municipal Code, and in accordance to a plan submitted by the applicant to the city, subject to review and approval by the Planning Division.
10. The owner/applicant shall comply with the Standard Urban Storm Water Plan (SUSMP) requirements. Owner/applicant shall coordinate with the city's Development Services Department, Public Works Division.
11. The owner/applicant shall submit a landscape and irrigation plan. Said plan shall illustrate a ten-foot landscape setback for the portion of the front yard setback along Avalon Boulevard north of the proposed new monument sign location, including the planting of new shrubs, flowering evergreen ground cover, and existing and/or proposed trees. All trees and new shrubs planted shall be maintained by an automatic drip irrigation system. Existing landscaping shall be removed as noted on plans and replaced by the approved landscaping plan. Failure to maintain landscaping will result in Code Enforcement action against the property owner.
12. A demolition permit shall be issued for removal of the existing non-conforming dual-pole sign within 120 days of CUP approval. Such demolition shall be complete and a final for such permit shall be given within 120 days of issuance of said demolition permit.
13. The owner/applicant shall apply for a separate sign permit within 120 days of issuance of demolition permit as described in Condition No. 12 of this Resolution. Approval of said permit shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards of the monument sign pursuant to Sections 9136.7 and 9172.23 of the Carson Municipal Code.
14. The owner/applicant shall apply for a separate banner permit, if applicable. Approval of said permit shall follow procedures set forth in Condition No. 13 above. Existing banners, if unpermitted shall be removed effective immediately.
15. The owner/applicant shall provide for public use above-ground storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices. The Planning Division shall approve the location and signage for company "used oil recycling" services.
16. Any future building expansions will require a modification request to the Conditional Use Permit.



17. All operations such as work or repair on vehicles must be conducted within the building. No work shall be permitted within the parking lot.
18. 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.
19. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
20. 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.
21. 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.
22. Avoid hosing down work areas. If work areas are washed, collect and direct wash water to sanitary sewer. Use dry sweeping if possible.
23. 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.
24. Post signs at sinks to remind employees not to pour wastes down drains.
25. The applicant shall remove the existing chain-link fence along the rear property line and replace with a decorative, six-foot high, steel fence and minimum 3-foot wide planter area adjacent to such fence, subject to review and approval by the Planning Division.
26. The applicant shall construct new curb and gutter along the rear property line, adjacent to the fence required in Condition No. 25 above. Such gutter shall drain into the existing catch basin located in the southwest corner of the subject property.
27. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 721-09. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.



ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

28. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

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





# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 9, 2010  
SUBJECT: Conditional Use Permit No. 721-09  
APPLICANT: Firestone (Bridgestone Retail Operations, LLC)  
c/o: Robert Sundstrom (Huitt-Zollars, Inc.)  
430 Exchange, Suite 200  
Irvine, CA 92602-1315  
REQUEST: To approve a Conditional Use Permit for Firestone, an existing tire and wheel sales and auto repair store on a site located in the CR-D (Commercial, Regional-Design Overly Review) zoning district  
PROPERTY INVOLVED: 20707 S. Avalon Boulevard

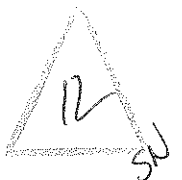
### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

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

EXHIBIT NO. 2



## I. Introduction

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

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

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

## II. Background

### *Current Use of Property*

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

### *Previously Approved Discretionary Permits*

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

### *Public Safety Issues*

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement case associated with this property.

### *Ordinance No. 04-1322*

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

A CUP can only be approved by the Commission if certain findings can be made, including providing adequate onsite parking and meeting applicable development standards contained in Section 9138.2. Furthermore, a report must be prepared by



the applicant showing that building, plumbing, electrical, and fire Code deficiencies are eliminated. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas; and
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

### III. Analysis

#### *Location/Site Characteristics/Existing Development*

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

#### *Zoning/General Plan/Redevelopment Area Designation*

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

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

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



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

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

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

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

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

#### *Applicable Zoning Ordinance Regulations*

The proposed CUP is subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Section 9138.2 (Vehicle Service and Repair).

#### *Required Findings: Conditional Use Permit*

Pursuant to Section 9172.21(D), Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.



2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21(D) can be made in the affirmative. Details can be found in the attached Resolution.

*Issues of Concern:*

- Issue – Aesthetic Improvements: Pursuant to Ordinance No. 04-1322 and CMC Section No. 9138.2(B), Vehicle Service and Repair, the applicant shall provide plans that enhance the architectural character of the existing structure which illustrates compatibility with the South Bay Pavilion shopping center.
  - *Mitigation:* For reasons previously explained, the applicant shall provide building elevation improvement plans within a three-year period following CUP approval, if approved. A condition of approval has been added to ensure that this happens. An additional condition has been added which requires that any cracks or missing stucco be repaired and that the building be given a fresh coat of paint within 90 days of CUP approval.
- Issue – Existing Non-conforming dual-pole sign: The existing dual-pole sign is legal, non-conforming with respect to its height (over 30 feet in the CR zone). The sign has been identified as incompatible in previous Planning Commission workshops held in 2009 regarding auto repair uses. The Planning Commission directed staff to focus on signs, landscaping, and façade improvements when reviewing auto repair uses in the CR zone. Staff recommends, and the applicant proposes that the sign be removed and replaced with a contemporary, decorative pylon sign.
  - *Mitigation:* A condition of approval has been included in Exhibit “B” of the attached Resolution which requires that development plans for such sign be reviewed and approved by the Planning Division and a building permit for an approved monument sign be issued within one year of CUP approval.
- Issue – Existing Non-conforming front yard landscape setback: The existing front yard landscape setback is legal, non-conforming with respect to its width. Section 9162.51 of the CMC requires a ten-foot landscape setback for property area fronting a public right-of-way. Landscaping and irrigation plans that illustrate proposed ground improvements compatible with the surrounding built environment located in the Commercial Regional zoning district are included in this proposal. However, such plans depict a five-foot landscape setback for the front yard area facing Avalon Boulevard. The applicant contends that a ten-foot setback would be detrimental to the business plan





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

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

#### IV. Environmental Review

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

#### V. Recommendation

That the Planning Commission:

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

#### VI. Exhibits

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

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scn/c72109p110910

