



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 8, 2011
SUBJECT: Conditional Use Permit No. 852-10
APPLICANT: Ms. Gwenn Vallone
Pug Nation of Los Angeles
PROPERTY OWNER: Robert and Rosalinda Birosak
5055 Carmelynn Street
Torrance, CA 90503
REQUEST: To approve a conditional use permit for a proposed dog rescue shelter and kennel use located within the MH (Manufacturing, Heavy) zoning district.
PROPERTY INVOLVED: 16829 South Broadway

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

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

Item No. 11A

I. Introduction

Pug Nation Rescue of Los Angeles is a non-profit animal rescue organization dedicated to the rescue, care and placement of abandoned, homeless pug dogs. The applicant, Gwen Vallone, is requesting approval of Conditional Use Permit (CUP) No. 852-10 to allow a dog rescue shelter and kennel in an existing multi-tenant, one-story, building located at 16829 South Broadway (Exhibit No. 2). RNB Industries currently operates a warehouse/storage yard for shutters in the rear unit and the CUP is for the use of an animal shelter and kennel within the front two units.

The property site is about 13,023 square feet and is developed with a 6,355-square-foot warehouse/office building. It is located in the MH (Manufacturing Heavy) zoning district, has a General Plan land use designation of Heavy Industrial and is within the Carson Consolidated Redevelopment Project Area. The subject property is bound by heavy industrial uses to the north and south. Heavy industrial uses are also located to the west across an alley and to the east across Broadway.

II. Background

The existing building was legally constructed in 1955 and a permit to extend the building was issued and finalized in 1974. The property was developed and improvements were made prior to the adoption of the Carson Municipal Code (CMC) in 1977. As such, the property is legal non-conforming in terms of its lot area, lot width, front setback and parking.

The building permit records indicate that the initial building was used as a machine shop. The business license history shows other uses included screen printing (1983-1999), shoe sales, manufacture and repair (1998-2005) and from 1998 its current use as a warehouse.

There are no previously approved discretionary permits for this site and no open code enforcement cases.

III. Analysis

Conditional Use Permits

Per Carson Municipal Code (CMC) Section 9141.1, Uses Permitted, an animal shelter and kennel is subject to the requirements of Section 9172.21 requiring Planning Commission approval of a conditional use permit. Due to the proposed site improvements and maintenance repairs, staff recommends that conditions of approval be included. There is no signage being proposed with this CUP application.

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.



- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be 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).

In addition to the general criteria for the approval of a Conditional Use Permit, Section 9143 of the CMC outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit in an industrial zone:

- a. Possible hazards to the surrounding area as a result of the proposed use.
- b. Possible hazards to the proposed use due to proximity or interaction with uses in the surrounding area.
- c. Cumulative and interactive effects upon the environment and public safety resulting from the interrelation, magnitude and intensity of industrial activities in the area.

All of the required findings pursuant to Section 9172.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision and Section 9143, "Conditional Use Criteria," can be made in the affirmative, if conditions of approval are implemented. Specific details regarding the applicable findings are incorporated in the attached resolution.

IV. Issues of Concern

Zoning Requirements/Conditional Use Findings

- a. Site Maintenance: Per CMC Section 9172.21(E), the Planning Commission may require additional improvements to the property. The following conditions of approval are recommended:
 - 1. Remove all trash, debris and inoperable vehicles from the site.
 - 2. Rebuild damaged trash enclosure.
 - 3. Remove all barbed wire.
- b. Parking: The parking is currently legal non-conforming, however, five parking spaces are being proposed as improvements to the site. There is currently pallets and storage located in proposed parking areas. Staff recommends that the following conditions of approval be added to mitigate any foreseeable parking impacts and to prevent an intensification of street parking:
 - 4. Remove all storage from the proposed parking areas.
 - 5. Vehicular parking, loading and maneuvering areas shall remain clear.



c. Landscape: There is minimal landscape provided at the front. Additional landscape will be added around the proposed ADA parking stall. Staff recommends that the following condition of approval be added to ensure landscape enhancement:

6. Install a new three (3') foot wide planter with improved landscape along the perimeter of the ADA parking space located near the front entrance.

V. Environmental Review

Pursuant to Section 15301, Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines, the proposed use as a shelter and kennel located at the project site is exempt. The project does not have the potential for causing a significant effect on the environment and is found to be exempt.

VI. Recommendation

That the Planning Commission:

- APPROVE Conditional Use Permit No. 852-10; 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. 852-10 TO PERMIT A SHELTER AND KENNEL LOCATED AT 16829 SOUTH BROADWAY."

VII. Exhibits

1. Draft Resolution
2. Land Use Map
3. Proposed Plans (Submitted under separate cover)
4. Letter dated February 1, 2011 from Pug Nation of Los Angeles

Prepared by: _____

McKina Alexander, Planning Technician

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp, Planning Manager



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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 852-10 TO PERMIT A SHELTER AND KENNEL LOCATED
AT 16829 SOUTH BROADWAY**

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

Section 1. An application was duly filed by the applicant, Gwenn Vallone, with respect to real property located at 16829 South Broadway, and described in Exhibit "A" attached hereto, requesting the approval Conditional Use Permit No. 852-10 to authorize the operation of a kennel and shelter use at an existing warehouse located within the MH (Manufacture, Heavy) 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 proposed project is identified in the Carson Municipal Code as a permitted use for this land use category subject to Conditional Use Permit approval. There is no specific plan for this area. The surrounding properties are developed with heavy manufacturing uses and the proposed project is compatible with the neighborhood.
- b) The subject site is adequate in size, shape, topography, location and utilities to accommodate the proposed use.
- c) The site will continue to provide adequate access and traffic capacity. The property will not generate significant adverse parking impacts to the adjacent public street with implementation of conditions of approval. The conditions of approval contained in Exhibit "B" of this Resolution require that additional parking be provided. In order to prevent an intensification of parking, review and approval by the Planning Division and issuance of appropriate building permits, if applicable, are required for any future alterations, expansions or repairs.
- d) There are no signs proposed with this application.
- e) 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.
- f) The property is legal, non-conforming and the applicant will improve the site by adding landscaping and five parking spaces.

- g) The proposed dog rescue shelter and kennel meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. All of the required findings pursuant to Section 9171.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision" can be made in the affirmative.

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 heavy industrial character of the surrounding area and meets or exceeds all city standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Structures or Facilities).

Section 4. Based on the aforementioned findings, the Planning Commission hereby approves the categorical exemption and grants Conditional Use Permit No. 852-10 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 Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF FEBRUARY, 2011.

CHAIRMAN

ATTEST:

SECRETARY

MA/c852-10p_020811



EXHIBIT "A"

The land referred to herein is situated in the State of California, County of Los Angeles, and described as follows:

Lot 5 of Tract No. 9925, in the County of Los Angeles, State of California, as per map recorded in Book 168, Page(s) 6 and 7, in the Office of the County Recorder of said County.

APN: 6126-004-006



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 852-10

GENERAL CONDITIONS

1. If Conditional Use Permit No. 852-10 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant 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.
4. 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 within 90 days of receiving approval by the Planning Commission, if applicable.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 852-10. 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.

8. Any improvements, expansions, alterations or repairs shall require review and approval by the Planning Division and issuance of a building permit, if applicable.
9. Five parking spaces shall be provided on-site per approved plan. All parking areas and driveways shall remain clear. No encroachment into the parking areas or driveways shall be permitted.
10. Additional landscape (three-foot wide planters) will be provided per approved plan along the perimeter of the ADA parking stall located near the front entrance to the Planning Division's satisfaction.
11. Rebuild and relocate trash enclosure to accommodate new parking stalls. The new trash enclosures shall be built per plan per standards described in Section 9164.3 of the Carson Municipal Code.
12. Remove all debris and trash from property. The property shall be maintained in good condition at all times.
13. Obtain licenses to operate a rescue shelter and kennel from all appropriate agencies (local and state). Maintain a clean facility and obtain all required inspections.
14. Only tenants, staff and volunteers will have access to rescue shelter and kennel operations. No public visitations or adoption events shall be conducted on-site.

BUILDING & SAFETY

15. All building improvements shall comply with City of Carson Building and & Safety Division requirements.

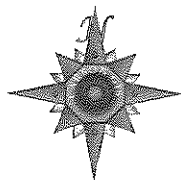
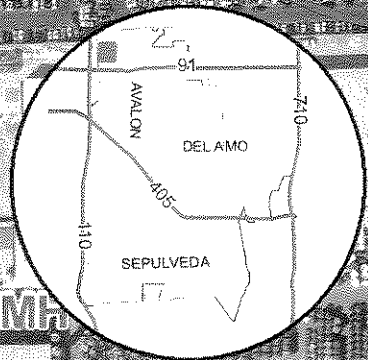
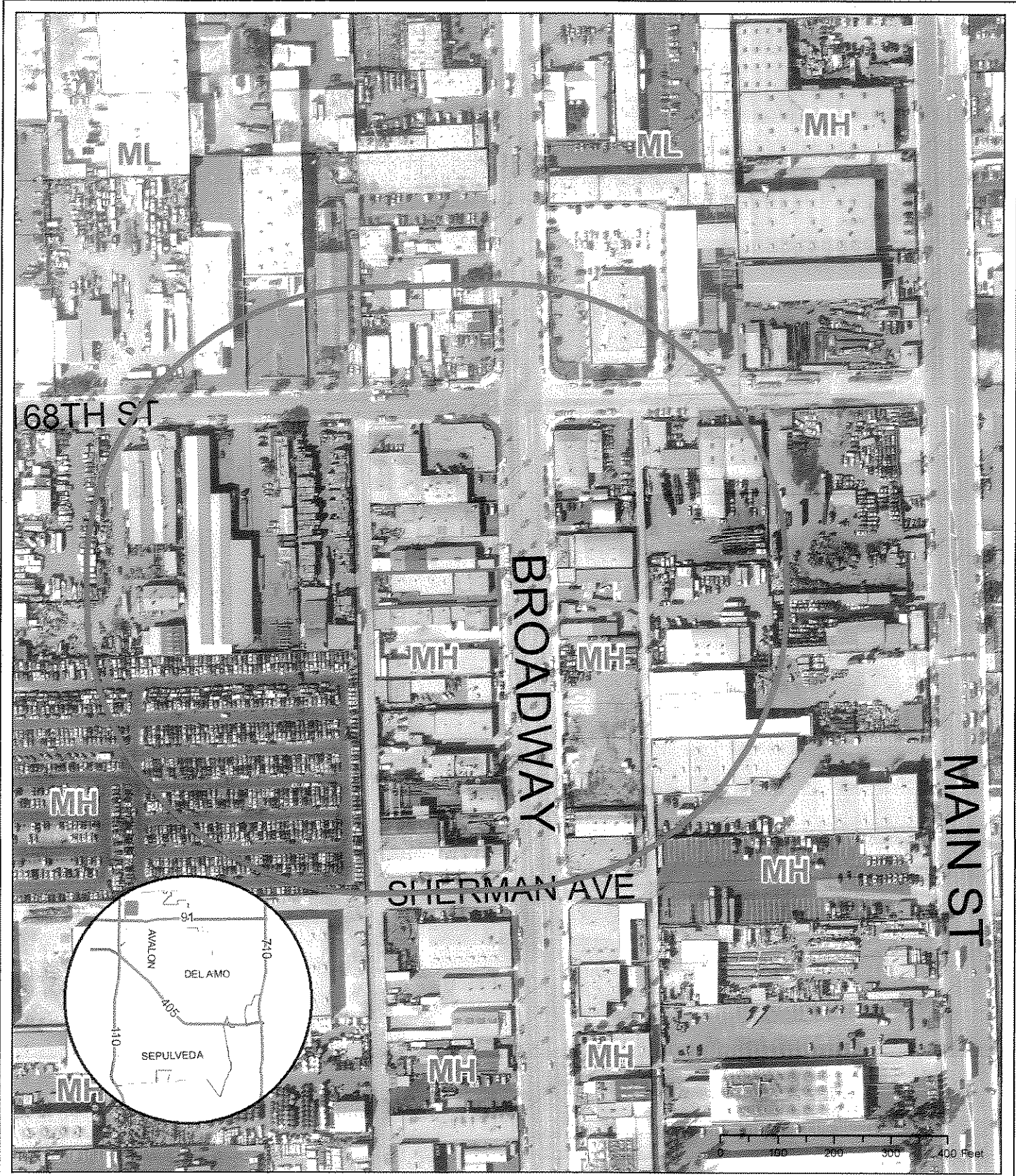
FIRE DEPARTMENT - COUNTY OF LOS ANGELES

16. All requirements by the Los Angeles County Fire Department shall be met.
17. There shall be no storage allowed within any required building setback yard area to promote fire safety.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

18. 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.

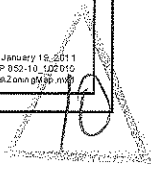




City of Carson
 500 Foot Radius Map
 16829 Broadway

Date Printed: Wednesday, January 19, 2011
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 User: jcarson

EXHIBIT NO. 2 -





P.O. Box 270 • Torrance • CA • 90507-0170
Phone: 310-782-9877 • Fax: 310-782-9868
info@pugnationla.org

February 1, 2011

Ms. McKina Alexander
Planning Technician
City of Carson
701 E. Carson Street
Carson, CA 90749

Dear Ms. Alexander:

It was a pleasure to see you again at the site. In response to your request for further details regarding our Rescue, please see our Operational Plan below:

Summary and Mission Statement:

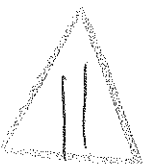
PUG NATION Rescue of Los Angeles is a nonprofit organization dedicated to the rescue, care, and placement of abandoned, neglected, unwanted, displaced and abused pugs, giving them a second chance in a loving and caring "forever" home. We consist of a Board of seven volunteers who will run the operations.

Day to Day Activities:

We will have three shifts of one employee per shift, along with one or two volunteers each day to help feed, walk and care for the pugs. The employees and volunteers will ensure the safety and comfort of the dogs, feeding and keeping the facilities clean. The off-site volunteers will rescue unwanted dogs, transport them to and from the vet, shop for supplies, etc.

Monthly Activities:

At least once per month we will hold off-site adoption fairs, transporting as many pugs as possible to pet stores in order for the public to view and interact with the pugs. If people have interest in the pugs, we will properly screen the applicants and hopefully place as many pugs as possible in forever homes. We will continue to care for the pugs that are not adopted.



Pug Exercise and Care:

The pugs will not be in a restricted area unless they are ill or old and would be injured by more active pugs. Since they will be housed in large, open areas and can exercise as needed, there is not a need to exercise extensively. Staff and /or volunteers will walk the younger, more active pugs that need additional exercise; however, most pugs don't and cannot exercise extensively due to their inability to cool down due to their flat face/noses.

Waste Removal/Disposal:

Staff/volunteers will constantly monitor the pug areas for dog feces and it will be removed and disposed of in outdoor closed containers. We are actively getting bids from disposal companies and probably will go with Liberty disposal. We plan to install at least one "mud" or utility floor sink in each of the two rooms along the existing plumbing of the building in order to be able to mop and hose down the dog areas frequently.

Please let me know if you need any additional information. Thank you!

Sincerely,

Gwenn Vallone
CFO, Board Member, Pug Nation Rescue of L.A.

