



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 8, 2011

SUBJECT: Conditional Use Permit No. 831-10

APPLICANT/PROPERTY OWNER: Mariechelle Guinto  
25228 Oak Street  
Lomita, CA 90717

REQUEST: To approve an auto repair business on a site located in the ML-D (Manufacturing, Light – Design Overlay) zoning district

PROPERTY INVOLVED: 21012 South Main Street

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#### COMMISSION ACTION

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

#### COMMISSIONERS' VOTE

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

***Item No. 11B***

## I. Introduction

The applicant, Pat Brown is requesting approval of Conditional Use Permit (CUP) No. 831-10 on behalf of the property owner Mariechelle Guinto to authorize an existing auto repair use (International Auto Body and Repair Shop) located at 21012 South Main Street (Exhibit No. 2).

The auto repair use was previously owned and operated by Regino Guinto from 1998 – 2004 and from 2007 to 2011, however during the review of the conditional use permit the business was sold to Luis Gutierrez in February 2011. The current operator was unaware of the conditional use permit requirement until his business license was denied on March 14, 2011. The property owner's mother owned the site since 1998 and transferred the property to the current owner in 2004.

The previous auto repair use provided general auto repair services and body work including repair and spray paint involving a spray booth. The current auto repair use mainly provides auto body services and has been operating without a legal business license.

According to Section 9138.2 of the Carson Municipal Code (CMC), a CUP is required for all vehicle service and repair uses within 100 feet of a residential zone. The project site is directly adjacent to a residential use to the east, therefore subject to the requirements of Ordinance No. 04-1322 and CMC Section 9138.2.

## II. Background

The subject property is zoned ML-D (Manufacturing, Light – Design Overlay) and has a General Plan land use designation of Light Industrial.

The 8,250-square-foot site is developed with a 1,812-square-foot building currently being utilized as an office/storage, residential unit, and auto repair garage which includes a spray booth. The existing building was originally constructed in 1947 and modified/added to in 1948 and 1961 according to building permits. The side abuts residential property to the east and a neighborhood mini-market directly north. South of the site are industrial properties currently being used for storage. Across Main Street to the west are additional industrial uses.

The property consists of two legal lots that are tied for assessor purposes. One lot is 25 feet wide and the second lot is 50 feet wide. In accordance with CMC Section No. 9207.27, "Merger of Contiguous Parcels", the city may merge a parcel with a contiguous parcel held by the same owner if the city causes to be recorded with the County Recorder a notice of merger, if any one (1) of the contiguous parcels held by the same owner does not conform to standards for minimum parcel size. Initially, the Planning Division was going to recommend to the Planning Commission that a parcel merger be required as part of the conditions of approval for the CUP, however since staff is recommending denial, the parcel merger will not be addressed as part of code enforcement compliance.



During the review of the CUP application, staff identified an unpermitted spray booth on-site. Although the spray booth received a permit from the Air Quality Management District (AQMD), a separate spray booth permit is required from the Los Angeles County Building and Safety department. No records of a permit are on file.

The new auto repair operator, Luis Gutierrez and Regino Guinto were in the process of jointly obtaining permits from LA County for the spray booth, however seized all actions after notification was given that staff would be moving forward with a recommendation of denial.

After the applicant was informed to obtain a demolition permit to remove all unpermitted structures in July 2011, the applicant moved forward without permits in August 2011 and demolished the rear portion of the building and some wall partitions. Staff was unable to verify the demolition was completed appropriately and required the applicant to obtain permits from Building and Safety. The Building and Safety Division would not issue a demolition permit since the exposed walls and modifications did not meet building code requirements.

The applicant submitted for a demolition permit on October 31, 2011 with Building and Safety. The plans are currently under review and a permit has not yet been issued. Due to the extent of nonconformities, Building and Safety must review plans to ensure the demolition and repair of walls meet building code requirements.

In February 2011, after the auto body business was leased to Luis Gutierrez, the business operator met with planning and code enforcement and was informed of the CUP requirements for auto repair. The business operator was willing to work with planning and the property owner to meet minimum requirements. The current business owner has made limited improvements to the site such as removing painted signage, repainting the building, constructing planters along the front property line, removing an unpermitted bathroom, providing striped parking and submitting for permits for the spray booth. Staff was willing to support a CUP for the current auto repair operator based on the operator's willingness to comply and provide improvements, however due to the owner's lack of compliance for major code enforcement issues on-site, it is difficult to recommend approval.

### Residential Use

The applicant has been issued a notice of violation by Code Enforcement for an unpermitted residential use on-site. Regino Guinto has confirmed to staff and Code Enforcement that the site is being used as his residence.

A building permit for a 520-square-foot dwelling was legally issued in 1948, however based on a business license site inspection conducted in 1998 the area currently being used as residential was identified as an area for auto repair. Therefore, based on city records, the existing residential use was established after 1998 without proper permits.



### Application History

May 19, 2010 - The applicant submitted a development application for Planning Commission consideration.

June 3, 2010 - A 30-day comment letter was mailed out to the applicant informing of an incomplete application and expressing concerns for the site being inadequate to meet development standards. A revised site plan addressing the issues was requested in order to move forward with the review process.

August 2010 – Contacted the applicant via telephone inquiring about the status of the resubmittal.

October 2010 – Contacted applicant via telephone inquiring about the status of the resubmittal.

October 2010 – A code enforcement violation was issued for illegal additions and an unpermitted residence on-site. Planning staff was not involved in the issuance of the violation but notified by code enforcement.

November 4, 2010 - Regino Guinto provided staff with a hand written letter requesting a 6-month grace period to submit required plans and address code violations on-site.

January 25, 2011 - Staff issued a “sunset” letter informing the applicant that a sufficient amount of time has been provided to submit a revised site plan and to address ongoing violations on-site therefore if no response is received within 14 days, staff will move forward with an incomplete application and recommend denial to the Planning Commission.

February 1, 2011 – Regino Guinto submitted a letter to staff stating he would try and complete all requirements before March 22, 2011 or request an extension.

February 7, 2011 – Staff emailed the representative/applicant (Pat Brown) informing of the letter received by Mr. Guinto and stated that a sufficient amount of time has been given to submit a site plan, therefore if a revised site plan is not submitted within 14 days, staff will move forward with a recommendation of denial to the Planning Commission.

February 2011 – Miguel Casillas, the designer of the project contacted staff stating he was working on the revised plans and that they will be submitted within a few weeks.

April 2011 – Staff contacted the applicant via telephone asking for an update of the revised plans. The applicant stated the plans would be submitted the first week of May 2011.

May 11, 2011 – Staff emailed the applicant requesting the status of the revised plans after a resubmittal was not received within the agreed amount of time.

May 26, 2011 – Revised plans are submitted by the applicant.



June 1, 2011 – Staff provides comments via email requesting additional information and a site inspection to access all areas on the site.

June 22, 2011 – Site inspection was conducted by staff with code enforcement and an email send to the applicant. Several hidden and unpermitted rooms and additions were discovered. The site plan and floor plan submitted to staff were not accurate because the interior partitions were not shown, therefore staff required revised plans. In consulting with the representative at that time, they informed staff that they were not given access to the entire site to draw plans therefore based it on information provided by the property owner. A dwelling unit was also discovered, which was occupied by Regino Guinto. Also, illegal additions at the rear of the property were discovered and an illegal addition crossing the property line to the north was observed. A meeting with the legal property owner, Mariechelle Guinto was scheduled for July 7, 2011.

July 7, 2011 – Planning staff, code enforcement, the legal property owner Mariechelle Guinto, and the applicant's representative met to discuss the outstanding violations on the property and to compile a timeline for compliance. It was agreed by the property owner and staff that immediate violations would be corrected within 60 days. If building permits were issued within 30 days, staff agreed to extend the deadline by another 30 days for construction.

August 10, 2011 – Staff emailed the property owner and representative stating that a demolition permit has not yet been issued. Staff reminded the property owner and representative that all violations must be addressed by September 8, 2011 or staff will schedule a public hearing before the Planning Commission.

September 22, 2011 – A letter was mailed to the property owner and applicant scheduling a public hearing before the Planning Commission for November 8, 2011.

September 27, 2011 – Staff was contacted by a representative for Regino Guinto requesting the planning division allow additional time for the applicant to correct violations. Staff emailed the applicant allowing an additional two weeks for the applicant to apply for demolition permits.

October 11, 2011 – Staff was contacted by the property owner, Mariechelle Guinto requesting additional time to address violations. Staff stated that additional time would be considered if the illegal residential use is immediately vacated. The property owner stated that they would prefer to move forward with the public hearing.

### Code Enforcement

A service request was initially received by code enforcement on June 24, 2009 stating a portion of the business has been converted into a townhouse with several tenants living on-site. The complaint stated there were 5 bedrooms and a kitchen at the location.

Since then, code enforcement has conducted site inspections, confirmed a residential use on-site, and issued a notice of violation. Code enforcement notified planning staff of the open case in October 2010 and has since been coordinating

with planning to address all outstanding issues. Due to the high level of noncompliance, code enforcement initiated the process to involve the city prosecutor's office on October 21, 2011.

### III. Analysis

#### *Conditional Use Permit*

Pursuant to CMC Section 9172.21(D), Conditional Use Permit, a CUP can only be approved by the Planning Commission if the following findings can be made in the affirmative and if applicable development standards contained in CMC Section 9138.2 are satisfied:

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

The subject property is designated for Light Industrial and zoned ML-D (Manufacturing, Light – Design Overlay). Auto repair use is permitted in the ML-D zone with the approval of a CUP. The CUP for auto repair must meet the minimum requirements of CMC Section 9138.2, Vehicle Service and Repair to be considered by the Planning Commission for approval. The site does not meet the requirements for vehicle service and repair therefore is not 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.**

The site is not adequate in accommodating auto repair. The existing building has several unpermitted additions that were constructed without proper building permits. The property owner has constructed several unpermitted partitions, separating areas for residential uses and storage. Planning staff has tried to coordinate with the property owner to address the outstanding violations, but have failed to reach compliance. In addition to the unpermitted structures and residential use the parking lot is broken and uneven and the site is not adequate in size for the safe maneuvering of vehicles for repair.

The site is zoned ML-D, which does not permit residential uses therefore the property owner must immediately remove all residential uses on site before any auto repair use can be considered.

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

Adequate driveway widths and street access are not provided on-site. A minimum of 26 feet is required for a two-way driveway access. The site provides a 16-foot driveway which is sufficient for one-way access. In addition, 4 of the parking spaces are in front of one of the two garage doors leading inside the building. The garage door/metal bi-fold door should be permanently closed to ensure safe access/parking. Currently, the garage door can be opened to allow vehicles to traverse the designated parking spaces.



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

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

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

There are six (6) auto repair facilities within the surrounding area on Main Street, including this site. Three (3) sites have an approved CUP and two (2) sites have submitted an application for the consideration of a CUP. One (1) is still required to submit an application. The sites with an approved CUP were deemed to have satisfied code requirements and/or have shown willingness to work with code enforcement and planning staff to address outstanding issues within a timely manner.

The applicant and property owner have failed repeatedly to provide staff with requested information in support of their CUP application. Furthermore, the property owner has consistently evaded property management responsibilities, has not submitted information within the agreed upon timeline, and has failed to address code enforcement violations appropriately. Based on the past performances revealed by the property owner, staff believes the property owner is not capable of providing a safe, suitable, and appropriate site for auto repair at this time.

As stated above, the site currently has an illegal addition that was constructed by the property owner on the northern portion of the building that crosses the property line by 6 feet and 6 inches to the neighboring site. In addition, an illegal addition including living area and two unpermitted bathrooms were constructed in the rear of the building. The addition was later demolished without permits when notified by planning and code enforcement. An unpermitted bathroom is still on-site and staff has not been able to gain access to the entire site therefore unable to verify if the other bathroom has been demolished. The building also has several interior partitions which converted a large portion of the building for an unpermitted residential use. The property owner has been notified several times of the illegal residential use but has refused to vacate the use.

The extent of unpermitted activities on the site and nonconformance is not compatible with the intended character of the area. Currently, the city is actively pursuing efforts to improve the conditions on Main Street and working with property owners to remove unpermitted structures and incompatible uses within this area. Staff believes the project site has potential for improvement but the current status of the site and lack of effort for compliance should be recognized as clearly being incompatible with 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. As stated above, the project does not satisfy the minimum requirements stated within this section.



Therefore, based on the discussions above the required finding pursuant to CMC Section 9172.21(D) cannot be made in the affirmative.

#### *Caretaker's residence*

Although staff has repeatedly informed the applicant and property owner that the residential use identified on the project site is not considered a caretaker's residence, the property owner will be requesting the Planning Commission "approve" the residential use as a caretaker's unit.

Staff believes the Planning Commission does not have the authority to consider a caretaker's unit for this particular project since CMC Section 9142 is clear in stating that a caretaker's unit must be incidental to the principal use (Auto Repair). In addition, a caretaker's unit is typically only considered when a primary use requires 24-hour on-site surveillance such as a self-storage site and the caretaker is a manager or employee of the use.

The Planning Commission also recently approved zoning code amendments that will soon require a Conditional Use Permit for all future caretaker residences. The ordinance amendment was introduced by the City Council on November 1, 2011 and is scheduled for second reading on November 15, 2011. If adopted, the residential unit at the subject site would not meet the standards of the new ordinance.

#### *Continue the Public Hearing*

The applicant has informed staff that they will be requesting a continuance for the public hearing to a later date. Staff believes a sufficient amount of time has been made available to the applicant to meet minimum requirements for code compliance, submittal of site plans, and planning review. Staff has already invested an extensive amount of time trying to encourage the applicant to comply with staff requirements and timelines.

#### **IV. Environmental Review**

Pursuant to Section 15207, Projects which are disapproved, of the California Environmental Quality Act (CEQA) Guidelines are not subject to CEQA review.

#### **V. Conclusion**

If the Planning Commission is considering a continuance, staff recommends the Planning Commission require that at minimum the residential use be immediately vacated prior to a favorable consideration.

If the property owner is able to immediately remove the residential use, address all code enforcement issues, and adequately correct violations they may be eligible to apply for a conditional use permit for an auto repair at a later time. However, based on the current site history and lack of efforts made by the property owner, staff strongly recommends denial of CUP No. 831-10.





**VI. Recommendation**

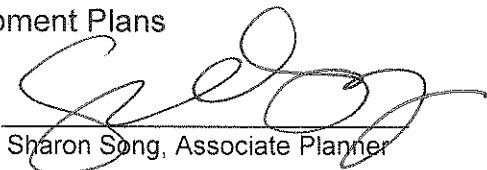
That the Planning Commission:

- DENY Conditional Use Permit No. 831-10; and
- WAIVE further reading and ADOPT Resolution No. 11-\_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING CONDITIONAL USE PERMIT NO. 831-10 FOR THIS CONTINUED VEHICLE SERVICE AND REPAIR USE LOCATED AT 21012 SOUTH MAIN STREET."

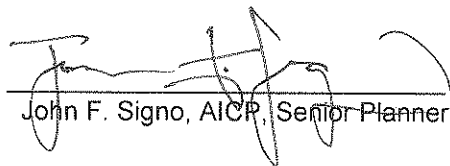
**VII. Exhibits**

1. Draft Resolution
2. Site Map
3. Communications
4. Development Plans

Prepared by:

  
Sharon Song, Associate Planner

Reviewed/Approved by:

  
John F. Signo, AICP, Senior Planner

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON DENYING CONDITIONAL USE PERMIT NO.  
831-10 FOR CONTINUED VEHICLE SERVICE AND REPAIR USE  
LOCATED AT 21012 SOUTH MAIN STREET**

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

**Section 1.** Applications were duly filed by the applicant, Pat Brown on behalf of the property owner Marichelle Guinto, with respect to real property located at 21012 South Main Street, and described in Exhibit "A" attached hereto, requesting the approval to continue an existing auto repair use located within the ML-D (Manufacturing, Light – Design Overlay) zoning district, located less than 100 feet from a residential zone.

A public hearing was duly held on November 8, 2011, at 6:30 P.M. at City Hall, Council Chambers, 701 E. Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** The Planning Commission finds that:

- a) The proposed project is not consistent with the General Plan, the site is zoned ML-D (Manufacturing, Light – Design Overlay). Auto repair use is permitted in the ML-D zone with the approval of a CUP. The CUP for auto repair must meet the minimum requirements of CMC Section 9138.2, Vehicle Service and Repair to be considered by the Planning Commission for approval. The site does not meet the requirements in CMC Section 9138.2 because is not adequate in accommodating an auto repair use. In addition, the site does not meet the goals and objectives of the General Plan such as Goal LU-3 which states, "Removal of incompatible and non-conforming uses which detract from the aesthetics and safety of the community". An unpermitted residential use is on-site and unpermitted additions do not meet building code requirements.
- b) The site is not adequate in accommodating auto repair. The existing building has several unpermitted additions that were constructed without building permits. Without proper building permits, there is no way to ensure safety for the use or patrons. Planning staff has tried to coordinate with the property owner to address the outstanding violations, but the violations have not been eliminated.
- c) Adequate driveway widths and street access are not provided on-site. A minimum of 26 feet is required for a two-way driveway access. The site provides a 16-foot driveway which is sufficient for one-way access. In addition, the parking spaces are currently located in front of the garage doors leading



into the building. A garage door must be permanently closed or the parking spaces relocated to ensure safe access.

- d) The continued operation of the auto repair uses is not compatible with the surrounding residential and industrial area. The site is not compatible with the intended character of the area. As stated above, the site currently has several illegal additions and an unpermitted residential use. One of the illegal additions includes an unpermitted addition to the northern portion of the building that crosses the property line by 6 feet and 6 inches to the neighboring site. The extent of unpermitted activities on the site and nonconformance is not compatible with the intended character of the area.
- e) The existing auto repair use does not meet the goals and objectives of the General Plan and is inconsistent with applicable zoning and design regulations. The required findings pursuant to Section 9171.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision" cannot be made in the affirmative.

**Section 4.** According to Section 15270(a) – Projects Which Are Disapproved, of the California Environmental Quality Act (CEQA) guidelines, the denial of the proposed conditional use permit for an existing auto repair facility is not subject to CEQA review.

**Section 5.** Based on the aforementioned findings, the Planning Commission hereby denies Conditional Use Permit No. 831-10, with respect to the property described in Section 1 hereof.

**Section 6.** The Secretary shall certify 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 NOVEMBER, 2011.**

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

**ATTEST:**

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



EXHIBIT "A"

DESCRIPTION:

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA:

THE WESTERLY 125 FEET OF LOT 36 OF TRACT NO. 5927, IN THE CITY OF CARSON COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 64, PAGE 58 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

EXCEPT 50 PER CENT OF ALL OIL, OR MINERALS, OR OTHER REMOVABLE NATURAL PROPERTY OF VALUE THAT MAY EXIST BELOW THE SURFACE OF SAID DESCRIBED PROPERTY, TOGETHER WITH THE RIGHTS OF NECESSARY INGRESS AND EGRESS, OVER AND ACROSS THE SURFACE OF SAID DESCRIBED PROPERTY FOR THE PURPOSE OF EXPLORATION, DEVELOPMENT AND OR DISPOSITION OF ANY DISCOVERED NATURAL RESOURCES THIS 50 PERCENT RESERVATION SHALL EXTEND TO AND BECOME A PART OF ANY COMMUNITY LEASE, GROUP AGREEMENT, OR OTHER AGREEMENT THAT THE GRANTEE MAY ENTER INTO AS RESERVED BY RAY DEWANE AND REGINA DEWANE, HUSBAND AND WIFE, IN DEED RECORDED FEBRUARY 23, 1951 IN BOOK 35637 PAGES 53 AND 54 OF OFFICIAL RECORDS.

ALSO EXCEPT ALL OIL AND MINERAL RIGHTS TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF EXPLORATION, DISCOVERY, PRODUCTIONS, DELIVERY, OR ANY OTHER ACT THAT MAY BE NECESSARY TO DEVELOP, TO PRODUCE AND DISTRIBUTE ANY OIL, OR MINERAL THAT MAY BE DISCOVERED BELOW THE SURFACE OF SAID DESCRIBED PROPERTY AS RESERVED BY A E HAYES AND MARY PAULINE HAYES, HUSBAND AND WIFE, IN DEED RECORDED FEBRUARY 28, 1951 IN BOOK 35679, PAGE 217, OFFICIAL RECORDS.

APN: 7334-001-041

LEGAL DESCRIPTION

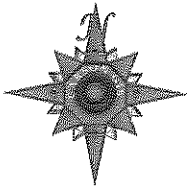
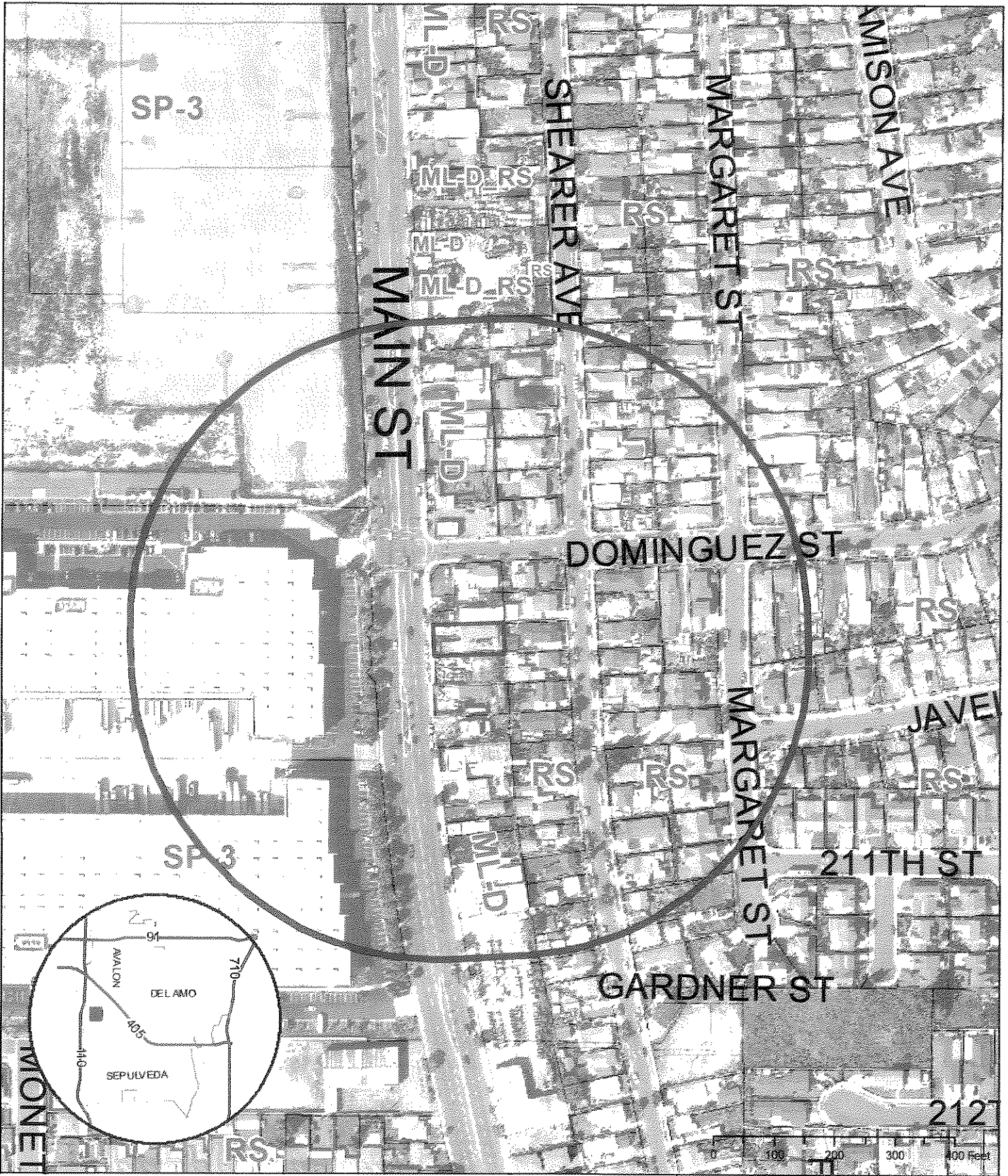
All that certain real property in the County of LOS ANGELES, State of California, described as follows:

THE SOUTH HALF OF THE WESTERLY 125 FEET OF LOT 35 OF TRACT NO. 5927, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 64, PAGE 58 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN No: 7334-001-051

06 2512477

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City of Carson  
 500 Foot Radius Map  
 21012 Main St

EXHIBIT NO. 2 -



Date Printed: Thursday, June 16, 2011  
 K:\Planning\Addressed Main\_S&Z\212\CP 031-101  
 Public Hearing Notice\ZoningMap.mxd



# CITY OF CARSON

June 3, 2010

Pat Brown  
5390 East 8<sup>th</sup> Street  
Long Beach, CA 90804

**Subject:** Conditional Use Permit (CUP) No. 831-10 – International Auto Body and Repair Shop

Mr. Brown ,

The City has received and reviewed your application for Conditional Use Permit (CUP) No. 831-10 to permit auto repair (International Auto Body and Repair Shop) at 21012 South Main Street. The site is zoned ML-D (Manufacturing, Light – Design Overlay) and within the Redevelopment Project Area 1B. The project was reviewed by staff during the New Case Review meeting held on May 26, 2010 and was deemed incomplete.

In addition to the application being incomplete, staff has determined that the existing site may not be able to adequately meet the development standards in Carson Municipal Code (CMC) Section 9138.2 such as providing adequate parking, maneuvering, and landscaping. Dependent on the re-submittal of plans and the extent of compliance with CMC Section 9138.2, staff may recommend approval or denial of CUP No. 831-10.

Due to the limited space available on-site, staff has concerns for parking, maneuvering, and screening. For example, landscaping is required along the front yard setback to provide screening, however the site is extremely limited in space, therefore standard requirements such as landscaping may result in impeding other standards. If minimum standards cannot be adequately provided on-site, the use will be considered not compatible with the intended character of the area and staff will recommend denial of CUP No. 831-10 to the Planning Commission.

In order for staff to continue processing your application and deem the application complete, the following comments must be addressed and submitted in a revised site plan. I have enclosed one set of plans with planning comments and mark-ups for your reference.

### *Planning*

1. Show the entire site on the site plan. Identify all buildings and structures on site. If the site is shared with other uses or tied to another lot, please show the lots and identify all uses.

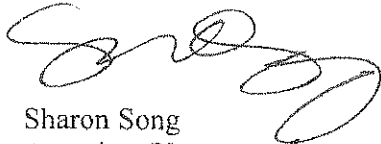


2 Pat Brown  
June 3, 2010

2. City records show that a building permit and authorization was never granted for the existing spray booth and auto painting activities. Auto painting must be approved and authorized by the Building and Safety division prior to any auto painting activities. All painting activities must cease until proper authorization is granted. Additional review from outside agencies may be required.
3. One (1) automobile parking space is required for each employee on the largest shift and two (2) parking spaces are required for each service bay or a minimum of five (5) parking spaces is required. Please provide adequate parking on-site using the above calculations.
4. Dependent on parking requirements and layout, all parking dimensions must comply with CMC Section 9162.1. Compact spaces not exceeding 20% of the total number of spaces are permitted. Compact spaces cannot be across from one another.
5. Identify any repair/maintenance bay drainage systems on site.
6. 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. 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. Storage of vehicles on public streets are not acceptable. Adequate space must be provided on-site for vehicles awaiting repair/service.
7. A minimum front yard of ten feet must be landscaped. The fence must be relocated to meet front yard requirements.
8. At least one (1) outdoor trash storage area must be provided per the requirements of CMC Section 9164.3 and CMC Section 9164.5.
9. Painted business signs must be removed and replaced with signs in compliance with CMC Section 9146.7. Phone numbers are not permitted on business signs.

Once plans have been revised with the above comments, please submit three (3) sets of plans to city staff for review. If you have any questions or concerns, please contact me at (310) 952-1700 ext. 1365 or [ssong@carson.ca.us](mailto:ssong@carson.ca.us).

Sincerely,



Sharon Song  
Associate Planner

cc: Mariechelle Quinto  
144 West Jay Street  
Carson, CA 90745

Enclosures: Site Plan with Planning Mark-ups dated 6/3/10

15

11/4/10

Planning Dept.

Attention John Signs,

I'm Mr. Reggie Guisto, owner of the International Auto Body & Repair Shop, I'm asking a big favor to you, please! Help me to give a six month extension of my Conditional permit, (Cup) what ever to be fixed on the property or business, I gotta do it with in six months, including some code violation, cause right <sup>now</sup> the business is completely dead, no work at all, I lost my house, I lost my business, I'm on divorce problem, I can't afford to pay my bills, my phone, water, Electric bills, also some permits of the business, & waste.

Hoping your kind consideration of big time favor, for what I'm asking to <sup>you</sup> Sir,

God Bless you,

Reggie Guisto





# CITY OF CARSON

January 25, 2011

Pat Brown  
5390 East 8<sup>th</sup> Street  
Long Beach, CA 90804

**Subject: Conditional Use Permit No. 831-10 – International Auto Body and Repair Shop (21012 South Main Street)**

Dear Mr. Brown:

Our records show that our last written correspondence to you was sent on June 3, 2010 (attachment) notifying you of your incomplete application for Conditional Use Permit (CUP) No. 831-10 and requesting additional information and revisions to your submittal. I informed you during several conversations in August 2010 and October 2010 that the city has not received any revisions. In addition, the property site was issued a warning citation in October 2010 and December 2010 by the city's Code Enforcement division in regards to illegal additions/residences on-site.

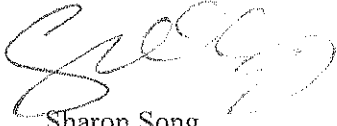
On November 4, 2010, the property owner submitted a letter to staff requesting a 6 month grace period. However, staff believes a sufficient amount of time has been provided to address ongoing violations and submit revised plans. To date, no new information has been received by the Planning Division for consideration or review in regards to CUP No. 831-10. Per the requirements of Ordinance No. 04-1322, you are required to obtain a CUP by the Planning Commission in order to continue operation as an auto repair use. Staff has observed a delay and lack of effort for compliance to submit a complete application. As such, the Planning Division has tentatively scheduled a public hearing with the Planning Commission on March 22, 2011 to move forward with a recommendation of denial for CUP No. 831-10.

If there is just cause to postpone the public hearing, please indicate this to staff in writing within 14 days of the date of this letter explaining the status of the project and the reason for the delay. In addition, you will need to submit plan revisions and address the comments stated in the attached comment letter. If no response or an inadequate response is received within 14 days, staff will move forward with an incomplete application and recommendation of denial to the Planning Commission. If denied, your business will be required to close.



If you have any questions regarding this matter, please contact me at (310) 952-1700 extension 1365 or at [ssong@carson.ca.us](mailto:ssong@carson.ca.us).

Sincerely,



Sharon Song  
Associate Planner

Attachment: Comment Letter dated June 3, 2010

cc: Mariechelle Quinto  
144 West Jay Street  
Carson, CA 90745

FEBRUARY 1, 2011

SHARON SONG  
PLANNING DEPARTMENT  
701 E. CARSON, ST  
CARSON, CA 90745  
RE: CUP NO. 831-10

Dear Ms. Song,

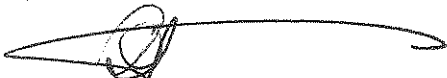
The main reasons for lack of communication with your department are my poor health issues and the slow economic conditions of my business, resulting in delayed compliance with the city codes.

Currently the citations for the illegal room additions were rectified by closing all the rooms. I feel we have sufficient 5 parking spaces and open spaces for maneuvering. Landscape can be improved without relocating the front fence. In addition to the plants currently placed in front of the building I will add large planters to enhance the landscape. I am also in the process of submitting my site plan for the Paint spray booth.

My plan is to park all the cars to be repaired inside the building and reserve all parking spaces outside the building for customers only. My employees do not own cars as most of them live near by and do not need transportation.

I apologize for the delay of complying with your requirements. I am doing the best I can with the little business I receive and when I am not recovering from my health issues. If I do not complete all the requirements before March 22, 2011, I will request for an extension.

Sincerely,



Regino Guinto

## Sharon Song

---

**From:** Sharon Song  
**Sent:** Monday, February 07, 2011 10:42 AM  
**To:** 'patbrown2@charter.net'  
**Cc:** 'MIGUEL CASILLAS'  
**Subject:** CUP No. 831-10 - Intl. Auto Body  
**Attachments:** SKMBT\_60011020710230.pdf

Hi Pat,

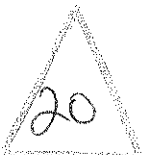
I received the attached letter from your client today. I didn't see a cc for you, so I'm forwarding it to you as an FYI. I don't have contact information for Mr. Regino Guinto and since you're the applicant and main contact, I would like to inform you that a revised site plan and floor plan must be submitted for review within 14 days of this email or the project will move forward with a recommendation of denial on March 22, 2011. I'm sorry to hear of Mr. Guinto's recent health conditions, however I believe he has been given sufficient time to submit a revised plan.

Mr. Guinto stated in the attached letter that he is proposing additional planters and indoor storage. Based on his descriptions, the improvements will not satisfy the requirements/comments stated in my previous comment letter or the Carson Municipal Code. In addition, parking requirements cannot be waived unless a variance is approved by the Planning Commission. I strongly suggest a revised site plan be submitted for staff review prior to any improvements on-site to ensure compliance and preclude any loss of investments.

I look forward to receiving a revised site plan and floor plan.

Sincerely,

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

---

**From:** Sharon Song  
**Sent:** Wednesday, May 11, 2011 10:52 AM  
**To:** 'MIGUEL CASILLAS'  
**Cc:** patbrown2@charter.net  
**Subject:** International Auto Body  
**Attachments:** Notice of inactive application\_012511.pdf

Hi Miguel,

What's the status for International Auto Body (21012 S. Main Street)? I was supposed to receive revised plans last week if you wanted to make the June 14, 2011 PH meeting.

I mailed out a notice of inactive application on January 25, 2011 and had several follow-up conversations with you, Pat Brown, and the property owner. Pat Brown and the property owner contacted me in February 2011, requesting additional time since the business changed ownership. I still haven't received any resubmittals, so if I don't receive anything within the next two weeks, I'll be scheduling this item for public hearing, with a recommendation of denial. Please inform your client(property owner/business owner) of this notification.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



**From:** Sharon Song  
**Sent:** Wednesday, June 01, 2011 3:49 PM  
**To:** 'MIGUEL CASILLAS'  
**Subject:** RE: Revised site plan

Hi Miguel,

Staff reviewed the plans in NCR this afternoon and my comments are below:

1. Show on plans, the demolition of the unpermitted restroom. Show everything that is existing on the floor plan, site plan, etc. and note demolition, improvements, etc.
2. Show the backup distance on Parking Space #5.
3. Note on plans that all broken, uneven concrete/asphalt on-site will be removed/repared to provide safe pedestrian and vehicle access. No uneven or broken concrete will be permitted.
4. Provide a color palette with the elevations. Identify proposed colors on plans.
5. I'll need to conduct a site inspection and have access to all rooms. Please set up a date/time with the property owner so I can have access to all rooms.
6. Provide a conceptual landscape plan and identify proposed plant palette.

This project will be tentatively scheduled for the July 12, 2011 public hearing. You'll need to submit revised plans by June 16, 2011 to keep the July 12 meeting date.

Let me know if you have any questions.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

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**From:** MIGUEL CASILLAS [mailto:mactek2005@hotmail.com]  
**Sent:** Thursday, May 26, 2011 12:51 PM  
**To:** Sharon Song  
**Subject:** Revised site plan

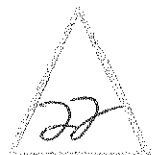
Sharon,

This is the revised site plan with landscape and showing the demo of unpermitted restroom at the rear. I know there will be additional items we need to mention on the site plan so we will be in contact to get this squared away and ready for a planning commission meeting. Also the spray booth has Aqmd Approval but the building portion ( specifically the electrical and the mechanical is being prepared by and electrical engineer for building and safety submittal in La County , Alhambra's main office.

Please email with comments in reference to the site plan so we can get this revised as soon as possible.

Thank you and have a good weekend.

Miguel



**From:** Sharon Song  
**Sent:** Wednesday, June 22, 2011 2:01 PM  
**To:** 'MIGUEL CASILLAS'  
**Cc:** patbrown2@charter.net  
**Subject:** 21012 S. Main Street CUP No. 831-10

Hello Miguel,

As scheduled, code enforcement and I met with the property owner's representative (Reggie) and the business owner (Luis) this morning to conduct a site inspection to specifically inspect and verify the rooms located behind the main office are as shown on the site plan.

Based on the inspection and extend of errors on the site plan, we will not be able to schedule the July 12, 2011 Planning Commission meeting. Several hidden/unpermitted rooms and additions were discovered. A dwelling unit was also discovered, which is occupied by Reggie. The dwelling unit included a full bath, living room/bedroom, and kitchen. Since the zoning does not permit for a residential unit, Reggie was notified of the violation and directed to submit a complete AND accurate site plan within 2 weeks (July 5, 2011) for review.

I also noticed that the building crosses the property line to the adjacent property to the north (El Gallo Market). This is an unpermitted addition and will need to be demolished/removed.

Unfortunately, due to the open code enforcement case staff may recommend denial of the CUP for auto repair. Based on an initial review, the additional rooms do not look permitted and will most-likely need to be demolished.

I've informed Luis to work with Reggie to provide me with a complete and accurate site plan (showing dimensions, the entire footprint of the building), showing all fences, furniture, etc. by July 5, 2011. At that time, I will review the site plan and schedule a meeting to discuss their options. If a complete site plan is not submitted by July 5, 2011, code enforcement will begin actions to prosecute the property owner and the CUP will be taken before the Planning Commission with a recommendation of denial.

As the main project contact, please ensure an accurate site plan is submitted by July 5, 2011. After I review the plans, a meeting will be scheduled and you'll need to discuss with the property owner and business owner what direction they would like to proceed to meet code requirements.

If you have any questions, contact me with the information provided below.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

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**From:** MIGUEL CASILLAS [mactek2005@hotmail.com]  
**Sent:** Tuesday, July 05, 2011 3:43 PM  
**To:** Sharon Song  
**Subject:** RE: 21012 S. Main Street CUP No. 831-10

Sharon ,

So I spoke to reggie and he will try to have his daughter there on thursday afternoon around 4 pm. If she can't make it then she could make it on friday. Only I didn't know what time on friday would be good for you. Morning or afternoon. Pat Brown can make the thursday 4pm meeting or friday after 2pm. But I don't know what is good for you. I will know by tomorrow if Reggies daughter can make thursday or not. If not friday is still open if you are available. Email me back to see what your friday looks like.

Miguel





## Sharon Song

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**From:** Sharon Song  
**Sent:** Wednesday, August 10, 2011 4:22 PM  
**To:** 'm\_guinto@hotmail.com'  
**Cc:** 'MIGUEL CASILLAS'; patbrown2@charter.net; Janette Tupuola  
**Subject:** RE: 21012 S. Main Street - International Auto Body

Hello Mariechelle,

I have not received or issued a request for a demolition or building permit for 21012 S. Main Street. As stated below, if building permits were not issued by August 8, 2011 a 30 day extension would not be granted. Therefore, all improvements and violations must be addressed by September 8, 2011 or the Planning Division will schedule a public hearing to recommend of denial of CUP No. 831-10. In addition, Code Enforcement will forward the outstanding violations to the city prosecutor.

I hope all violations will be addressed before September 8, 2011.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

**From:** Sharon Song  
**Sent:** Thursday, July 07, 2011 6:11 PM  
**To:** 'm\_guinto@hotmail.com'  
**Cc:** 'MIGUEL CASILLAS'; patbrown2@charter.net; Janette Tupuola  
**Subject:** 21012 S. Main Street - International Auto Body

Hello Mariechelle,

Thank you for meeting with me and code enforcement this afternoon to discuss the outstanding violations on your property located at 21012 S. Main Street (International Auto Body). This email is being sent to document our discussion and reiterate our agreement and timeline for compliance.

As agreed, you will be given 60 days from today to correct all violations on-site including, but not limited to:

1. Removing all residential uses from the site. Remove the existing kitchen and full bath (including shower);
2. Submitting a site plan for planning approval and building permits showing the demolition of unpermitted partitions and unpermitted additions as discussed in the meeting. The illegal additions to the rear of the property and that encroaching to the neighboring property to the north must be removed;
3. All remaining partitions/T.I.'s must be permitted and meet current building code requirements;
4. All improvements must be finalized by Planning and Building and Safety within 60 days in order for Planning to move forward with processing Conditional Use Permit (CUP) No. 831-10 for International Auto Body.

If a complete site plan is submitted to the Planning Division for approval and building permits are issued within 30 days (August 8, 2011), you will be given an additional 30 day extension to complete all improvements on-site.

If improvements are not completed by the agreed upon date, the Planning Division will not be able to recommend approval of CUP No. 831-10 and will schedule a public hearing with a recommendation of denial. In addition, Code Enforcement will forward the case to the city prosecutor.



I hope the violations on-site will be resolved within the time specified so we can move forward with the CUP. If you have any questions, feel free to contact me with the information provided below.

I look forward to reviewing the revised plans with corrections.

Regards,

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

---

**From:** Mariechelle Guinto [m\_guinto@hotmail.com]  
**Sent:** Thursday, September 29, 2011 11:07 AM  
**To:** Sharon Song  
**Cc:** mactek2005@hotmail.com; patbrown2@charter.net; Janette Tupuola; John Signo  
**Subject:** RE: Notification Letter \_ 092211

Hi Sharon,

I was under the impression that my father and Miguel were working on complying with some of the violations. However I see that this has not happened. I do not get involved with all the details concerning this property. It seems as if it's time that I step in. I am committed to working with you in complying with the violations. I do however have a few questions/replies. Please refer to the most recent letter you sent on 9/22.

# 1 - **RESIDENTIAL USE** Based on the Carson Municipal Code under Caretaker, we would like to present our case at the hearing.

# 2 - **KITCHEN/BATH** Based on the Carson Municipal Code under Caretaker, we would like to present our case at the hearing.

# 3 - **SITE PLAN** Yes I will submit a site plan with the exception of the above

# 4 - **DEMO PERMIT FOR ADDITIONS/PARTITIONS** My father already tore this down. Can you or someone check to ensure that the work is completed to your satisfaction?

#5 - **REAR PROPERTY** I need to get a quote as to how much the permit is and the cost to fix it. If the cost is manageable. I will comply immediately.

#6 - **BUILDING PERMITS** Yes I am meeting with Miguel and his engineer tomorrow to identify what is needed

#7, #8 - **ACCESS WAY/BROKEN ASPHALT** I do not believe these conditions were discussed at the meeting nor it was listed in you recap email.

\* **Side Wall next to market** If we have a lease agreement with the property owner why do we need to tear this down? From my understanding since it is next to another commercial property that this should not be an issue. Is it because the wall is not up to code?

Please be patient with me as I am just getting acquainted with the requirements and proceedings. Thanks for your time.

Regards,  
Mariechelle Guinto  
(310) 749-0599

---

Subject: RE: Notification Letter \_ 092211

Date: Tue, 27 Sep 2011 11:36:12 -0700

From: [ssong@carson.ca.us](mailto:ssong@carson.ca.us)

To: [m\\_guinto@hotmail.com](mailto:m_guinto@hotmail.com)

CC: [mactek2005@hotmail.com](mailto:mactek2005@hotmail.com); [patbrown2@charter.net](mailto:patbrown2@charter.net); [Jtupuola@carson.ca.us](mailto:Jtupuola@carson.ca.us); [JSigno@carson.ca.us](mailto:JSigno@carson.ca.us)

Hello Mariechelle,

Your father, Reggie Guinto contacted John Signo, Senior Planner on September 27, 2011 on your behalf requesting additional time to address the outstanding violations at 21012 South Main Street. Reggie stated to John that some of the issues identified in the September 22, 2011 notification letter have been addressed. As I discussed with Reggie during our phone conversation on September 22, 2011, no demolition or building permits are on file with the city to verify work was completed properly. Reggie was also informed of this during his visit at the Planning Counter, August 2011.

If you submit demolition or building permits for the work completed thus far by **October 6, 2011**, Planning will consider postponing the public hearing for Conditional Use Permit (CUP) No. 831-10 to allow a reasonable amount of time to complete all violations on-site. If no permits are submitted, planning will move forward with CUP No. 831-10 as stated in the September 27, 2011 letter.



I believe you have been given a generous amount of time already to correct code violations on-site and apply for permits, therefore this will be your final extension for CUP No. 831-10.

Please note, all existing code violations will still need to be addressed even after CUP No. 831-10 is considered by the Planning Commission.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

---

**From:** Sharon Song  
**Sent:** Thursday, September 22, 2011 6:10 PM  
**To:** patbrown2@charter.net; 'MIGUEL CASILLAS'; 'm\_guinto@hotmail.com'  
**Subject:** Notification Letter \_ 092211

Hello,

This letter will also be mailed to you.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

---

**From:** Sharon Song  
**Sent:** Tuesday, September 27, 2011 11:36 AM  
**To:** 'm\_guinto@hotmail.com'  
**Cc:** 'MIGUEL CASILLAS'; patbrown2@charter.net; Janette Tupuola; John Signo  
**Subject:** RE: Notification Letter \_ 092211

Hello Mariechelle,

Your father, Reggie Guinto contacted John Signo, Senior Planner on September 27, 2011 on your behalf requesting additional time to address the outstanding violations at 21012 South Main Street. Reggie stated to John that some of the issues identified in the September 22, 2011 notification letter have been addressed. As I discussed with Reggie during our phone conversation on September 22, 2011, no demolition or building permits are on file with the city to verify work was completed properly. Reggie was also informed of this during his visit at the Planning Counter, August 2011.

If you submit demolition or building permits for the work completed thus far by **October 6, 2011**, Planning will consider postponing the public hearing for Conditional Use Permit (CUP) No. 831-10 to allow a reasonable amount of time to complete all violations on-site. If no permits are submitted, planning will move forward with CUP No. 831-10 as stated in the September 27, 2011 letter.

I believe you have been given a generous amount of time already to correct code violations on-site and apply for permits, therefore this will be your final extension for CUP No. 831-10.

Please note, all existing code violations will still need to be addressed even after CUP No. 831-10 is considered by the Planning Commission.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

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**From:** Sharon Song  
**Sent:** Thursday, September 22, 2011 6:10 PM  
**To:** patbrown2@charter.net; 'MIGUEL CASILLAS'; 'm\_guinto@hotmail.com'  
**Subject:** Notification Letter \_ 092211

Hello,

This letter will also be mailed to you.

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

---

**From:** Sharon Song  
**Sent:** Thursday, July 07, 2011 6:11 PM  
**To:** 'm\_guinto@hotmail.com'  
**Cc:** 'MIGUEL CASILLAS'; patbrown2@charter.net; Janette Tupuola  
**Subject:** 21012 S. Main Street - International Auto Body

Hello Mariechelle,

Thank you for meeting with me and code enforcement this afternoon to discuss the outstanding violations on your property located at 21012 S. Main Street (International Auto Body). This email is being sent to document our discussion and reiterate our agreement and timeline for compliance.

As agreed, you will be given 60 days from today to correct all violations on-site including, but not limited to:

1. Removing all residential uses from the site. Remove the existing kitchen and full bath (including shower);
2. Submitting a site plan for planning approval and building permits showing the demolition of unpermitted partitions and unpermitted additions as discussed in the meeting. The illegal additions to the rear of the property and that encroaching to the neighboring property to the north must be removed;
3. All remaining partitions/T.I.'s must be permitted and meet current building code requirements;
4. All improvements must be finalized by Planning and Building and Safety within 60 days in order for Planning to move forward with processing Conditional Use Permit (CUP) No. 831-10 for International Auto Body.

If a complete site plan is submitted to the Planning Division for approval and building permits are issued within 30 days (August 8, 2011), you will be given an additional 30 day extension to complete all improvements on-site.

If improvements are not completed by the agreed upon date, the Planning Division will not be able to recommend approval of CUP No. 831-10 and will schedule a public hearing with a recommendation of denial. In addition, Code Enforcement will forward the case to the city prosecutor.

I hope the violations on-site will be resolved within the time specified so we can move forward with the CUP. If you have any questions, feel free to contact me with the information provided below.

I look forward to reviewing the revised plans with corrections.

Regards,

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)



## Sharon Song

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**From:** John Signo  
**Sent:** Monday, October 03, 2011 3:38 PM  
**To:** Sharon Song  
**Subject:** FW: Notification Letter \_ 092211

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**From:** Mariechelle Guinto [mailto:m\_guinto@hotmail.com]  
**Sent:** Monday, October 03, 2011 11:03 AM  
**To:** John Signo  
**Subject:** RE: Notification Letter \_ 092211

Hi John,  
Yes I understand the seriousness of the matter what I'm asking is for you and your staff to not approach my renter. By doing so only makes the situation worse. Again, please contact me directly to discuss any concerns relating to the CUP and/or the property in general. Thank you.

Regards,  
Mariechelle Guinto

---

**Subject:** RE: Notification Letter \_ 092211  
**Date:** Mon, 3 Oct 2011 08:13:00 -0700  
**From:** JSigno@carson.ca.us  
**To:** m\_guinto@hotmail.com  
**CC:** ssong@carson.ca.us

Hi Mariechelle,

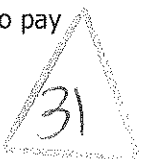
As much as I'd like to tell you we do not put businesses out of business, for your renter to continue the CUP must be approved. We have had other businesses close because the CUP was not approved or the businesses were so far out of compliance that a CUP could not even be considered. So the threat of your renter's business closing *is real* if compliance is not met, and the matter of receiving approval for the CUP should be taken very seriously. That being said, we do try to work with our businesses to the extent possible. I understand Sharon has allowed extensions and given plenty of time. The CUP was suppose to be obtained before November 2009. We will continue to work with you but we need to resolve the issues to avoid further delay.

John F. Signo, AICP  
Senior Planner  
City of Carson Planning Division  
701 E. Carson Street  
Carson, CA 90745  
310-952-1700 ext. 1327 office  
310-835-5749 fax

---

**From:** Mariechelle Guinto [mailto:m\_guinto@hotmail.com]  
**Sent:** Friday, September 30, 2011 12:24 PM  
**To:** John Signo  
**Subject:** RE: Notification Letter \_ 092211

Hi John,  
Thank you for your reply. I met with my renter this morning and he complained that in multiple occasions Sharon has mentioned to him that the business will be shut down by March of 2012 . As a result, my renter is threatening not to pay



me rent until the matter is taken care of. As I wrote in my previous email. Now that I'm involved I am committed to complying with the violations. In the meantime I would appreciate that no one in your staff harass and/or discuss any of this matter with my renter. If you need to discuss anything please contact me directly. Thank you.

Regards,  
Mariechelle Guinto  
(310) 749-0599

---

Subject: RE: Notification Letter \_ 092211  
Date: Thu, 29 Sep 2011 12:03:00 -0700  
From: JSigno@carson.ca.us  
To: m\_guinto@hotmail.com; ssong@carson.ca.us  
CC: mactek2005@hotmail.com; patbrown2@charter.net; Jtupuola@carson.ca.us

Hi Mariechelle,

Sharon is out of the office today so I'll respond to your email. As a clarification, I didn't speak to your father this week, but to one of his acquaintances. He informed me that your father will be pulling a demolition permit so we can properly inspect the property and document the activity.

Regarding the residential unit, our Code prohibits single-family residences in an industrial zone. Our Code does allow a caretaker's residence as a minor use provided that it is incidental to the auto repair use (Section 9142). However, as I understand it, the residence at the subject property is completely independent from the auto repair use in that the resident is *not* an employee of the business. In addition, a caretaker's residence is not a typical incidental use for an auto repair business.

Recently, the city has been reviewing the Code for updates and the issue of a caretaker's residence will be discussed before the City Council in the upcoming months. Last Tuesday night, the Planning Commission recommended that the City Council adopt an ordinance amendment that would allow a caretaker's residence on properties that are at least one acre with at least two covered parking spaces for the unit. Any new caretaker's residence would also be subject to the requirements of a conditional use permit (CUP). If you have any concerns with the ordinance amendment, it is advised that you participate in the public hearing process before the City Council.

Regarding the side wall next to the market, it is my understanding that the building traverses the property line. The Building and Safety Division cannot issue a building permit for a building that crosses the property line, nor can a permit be issued if building code standards are not met.

Sharon should be back next week to address any other concerns or answer any questions. I advise that you pull a demolition permit as soon as possible so an inspection can be done and the project can move forward.

John F. Signo, AICP  
Senior Planner  
City of Carson Planning Division  
701 E. Carson Street  
Carson, CA 90745  
310-952-1700 ext. 1327 office  
310-835-5749 fax

---

**From:** Mariechelle Guinto [mailto:m\_guinto@hotmail.com]  
**Sent:** Thursday, September 29, 2011 11:07 AM  
**To:** Sharon Song  
**Cc:** mactek2005@hotmail.com; patbrown2@charter.net; Janette Tupuola; John Signo  
**Subject:** RE: Notification Letter \_ 092211





Hi Sharon,

I was under the impression that my father and Miguel were working on complying with some of the violations. However I see that this has not happened. I do not get involved with all the details concerning this property. It seems as if it's time that I step in. I am committed to working with you in complying with the violations. I do however have a few questions/replies. Please refer to the most recent letter you sent on 9/22.

# 1 - **RESIDENTIAL USE** Based on the Carson Municipal Code under Caretaker, we would like to present our case at the hearing.

# 2 - **KITCHEN/BATH** Based on the Carson Municipal Code under Caretaker, we would like to present our case at the hearing.

# 3 - **SITE PLAN** Yes I will submit a site plan with the exception of the above

# 4 - **DEMO PERMIT FOR ADDITIONS/PARTITIONS** My father already tore this down. Can you or someone check to ensure that the work is completed to your satisfaction?

#5 - **REAR PROPERTY** I need to get a quote as to how much the permit is and the cost to fix it. If the cost is manageable. I will comply immediately.

#6 - **BUILDING PERMITS** Yes I am meeting with Miguel and his engineer tomorrow to identify what is needed

#7, #8 - **ACCESS WAY/BROKEN ASPHALT** I do not believe these conditions were discussed at the meeting nor it was listed in you recap email.

\* **Side Wall next to market** If we have a lease agreement with the property owner why do we need to tear this down? From my understanding since it is next to another commercial property that this should not be an issue. Is it because the wall is not up to code?

Please be patient with me as I am just getting acquainted with the requirements and proceedings. Thanks for your time.

Regards,  
Mariechelle Guinto  
(310) 749-0599

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Subject: RE: Notification Letter \_ 092211

Date: Tue, 27 Sep 2011 11:36:12 -0700

From: ssong@carson.ca.us

To: m\_guinto@hotmail.com

CC: mactek2005@hotmail.com; patbrown2@charter.net; Jtupuola@carson.ca.us; JSigno@carson.ca.us

Hello Mariechelle,

Your father, Reggie Guinto contacted John Signo, Senior Planner on September 27, 2011 on your behalf requesting additional time to address the outstanding violations at 21012 South Main Street. Reggie stated to John that some of the issues identified in the September 22, 2011 notification letter have been addressed. As I discussed with Reggie during our phone conversation on September 22, 2011, no demolition or building permits are on file with the city to verify work was completed properly. Reggie was also informed of this during his visit at the Planning Counter, August 2011.

If you submit demolition or building permits for the work completed thus far by **October 6, 2011**, Planning will consider postponing the public hearing for Conditional Use Permit (CUP) No. 831-10 to allow a reasonable amount of time to complete all violations on-site. If no permits are submitted, planning will move forward with CUP No. 831-10 as stated in the September 27, 2011 letter.

I believe you have been given a generous amount of time already to correct code violations on-site and apply for permits, therefore this will be your final extension for CUP No. 831-10.

Please note, all existing code violations will still need to be addressed even after CUP No. 831-10 is considered by the Planning Commission.

Sharon Song  
Associate Planner



## Sharon Song

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**From:** Sharon Song  
**Sent:** Tuesday, October 11, 2011 4:10 PM  
**To:** 'Mariechelle Guinto'  
**Cc:** John Signo; Janette Tupuola  
**Subject:** RE: Contact Information

Hi Mariechelle,

Per our phone conversation, I'm responding to this email to clarify our discussion.

The public hearing date will be November <sup>15 corrected later</sup> 11, 2011 at 6pm (City Hall). A public hearing notice has not yet been mailed out, but when ready I'll be mailing it to you, your tenant, and all property owners/tenants within a 500 ft. radius from the site. It'll also be posted on-site.

As discussed, if you immediately remove/vacate the "residential use", planning is willing to postpone the hearing date for 60 days (to allow more time to fix all outstanding code enforcement violations). However, all code violations will need to be addressed within the 60 days for staff to recommend approval of the Conditional Use Permit at an alternate PC meeting. If you choose not to remove/vacate the "residential use" immediately, staff will move forward as discussed with a recommendation of denial on November 11, 2011. I'll leave this option open to you until this Thursday. If I don't get a response, I'll assume you do not want to go this route.

I strongly encourage you to take this opportunity for additional time so you can address the outstanding issues and go before the Planning Commission with a recommendation of approval. As I mentioned during our phone conversation, staff believes the Carson Municipal Code (CMC) is very clear on when a caretakers unit is permitted. I've copied the code section for your review. Since the residential use is not related to the principal use (Auto Repair), it is not permitted per CMC Section 9142.

The Planning Commission (PC) only has discretion in regards to the CUP for auto repair, meaning if a "caretaker's unit" is proposed that is incidental or related to the auto repair use, then the PC has the authority to approve or deny. In your case, the "residential use" is a standalone use that is not incidental to the primary use on-site (Auto Repair). Your father is not an employee of International Auto Body (primary use). Meaning, the current "residential use" is in clear violation of CMC Section 9142. The PC does not have the discretion to change code or over-ride it so they will not even be able to consider the "separate caretakers unit, not related to the primary use on-site" since this issue is already addressed in the CMC and the code is clear.

If my explanation above is a bit confusing, I recommend talking this over with Pat Brown, your consultant, since he's very familiar with the code. If not, feel free to contact me with any questions.

### Division 2. Accessory Uses

#### 9142 Accessory Uses.

If not otherwise permitted as principal uses, the following uses are permitted as minor uses **if related to and incidental** to the indicated **principal** permitted use on the same site:

Amusement machines – not more than three (3) machines – only in connection with a cocktail lounge, bar, bona fide restaurant or theater.

Caretaker's or superintendent's residence – not more than one (1) dwelling unit per site.



Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

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**From:** Mariechelle Guinto [[mailto:m\\_guinto@hotmail.com](mailto:m_guinto@hotmail.com)]  
**Sent:** Tuesday, October 11, 2011 1:45 PM  
**To:** Sharon Song  
**Subject:** RE: Contact Information

Hi Sharon,

I spoke to Miguel this morning to get clarification on where we're at in the process. He explained that Michael from Building Safety advised him that in order to get the demo and building permit, we would need to turn in and get the plans approved first. In addition Max may have misinterpreted your conversation because he and I discussed the Plans for the entire building. Are you referring to the room additions? Those rooms excluding the caretaker's room will be included in the plans. Can you confirm the hearing date and time. I may need to rearrange my work schedule and would like to do so as soon as possible. Also did you send Luis (my renter) a copy of the hearing notice or was that letter addressed to me? Thanks.

Mariechelle

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Subject: Contact Information  
Date: Mon, 10 Oct 2011 13:34:53 -0700  
From: [ssong@carson.ca.us](mailto:ssong@carson.ca.us)  
To: [m\\_guinto@hotmail.com](mailto:m_guinto@hotmail.com)

Hello Mariechelle,

Do you have a phone number I can reach you at? I'd like to go over a few things with you and it might be easier over the phone.

Also, I spoke with your engineer, Max Monterrey and he informed me that he's preparing plans to bring the building up to code. He was not familiar with the demolition in the back. He stated that he's only preparing plans and that you will be the one applying for the building permits.

There still are no records that a demolition permit was issued for the area in the rear of the property.

I look forward to your call or if you provide me with your number, I will give you a call.

Thanks,

Sharon Song  
Associate Planner  
City of Carson  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1700 ext. 1365  
[ssong@carson.ca.us](mailto:ssong@carson.ca.us)

