



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 13, 2011

SUBJECT: Design Overlay Review No. 1401-11; Conditional Use Permit No. 864-11; Conditional Use Permit No. 865-11; Conditional Use Permit No. 866-11

APPLICANT: Inland Kenworth
c/o: Lord Constructors, Inc. (Jim Allman)
1920 W. Eleventh Street
Upland, CA 91786

REQUEST: To construct a 3,825-square-foot truck wash and lube facility to be used in conjunction with a new truck sales (over two tons) use, showroom, and repair facility in the CG-D (Commercial, General; Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

PROPERTY INVOLVED: 1202 E. Carson Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

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

Item 11 F

I. Introduction

The applicant, Inland Kenworth, represented by Jim Allman of Lord Constructors, Inc. submitted an application in April 2011 requesting authorization to operate a new diesel truck (over two tons) sales and showroom, with accessory truck wash and repair facilities. The applicant requests that the Planning Commission consider the following discretionary permits:

- Design Overlay Review No. 1401-11: Site plan review pertaining to the construction of a new 3,825-square-foot auxiliary building for the proposed truck wash and lube facility, as well as rehabilitating the existing 9,705-square-foot former RV (recreational vehicle) sales and service building and associated landscaping, signs and fencing improvements.
- Conditional Use Permit No. 864-11: To authorize a new diesel truck (over 2 tons) sales use in the CG-D zone.
- Conditional Use Permit No. 865-11: To authorize a truck repair facility within 100-feet of a residential zone pursuant to Carson Municipal Code (CMC) Section 9138.2.
- Conditional Use Permit No. 866-11: To authorize a truck wash facility in the CG-D zone.

The Planning Commission is instructed to make a recommendation to the Carson Redevelopment Agency for all design review permit applications for properties within the Carson Consolidated Redevelopment Project Area which were formerly within Redevelopment Project Area No. 1. However, the Planning Commission wields approval authority for the conditional use permits.

II. Background

Project Withdrawal and Re-initiation

The applicant seeks to purchase the property from the current owner, the Prowell Family Trust. Issues associated with contamination in the area adjacent to and possibly on a portion of the subject properties caused delays in the purchase negotiations. Recently, the property owner was cleared by the Water Board in connection with on-site contamination and is currently in compliance with a clean-up order which requires that access be granted for monitoring well placement on the property (Exhibit No. 1). The applicant has resolved with the property owner to purchase the property with a restructured deal allowing the applicant to lease the property for the foreseeable future with an option to purchase at such time the property has been completely cleared of environmental contamination.

Previous Uses of Property

The subject property was originally developed for use as a gas station, then a retail camper shell facility, and most recently an RV sales and service center (Active RV). The property is currently vacant.



Previously Approved Discretionary Permits

Special Use Permit (SUP) 160-77 was permitted to allow for the sale of RV's in the CG-D (Commercial, General – Design Overlay) zone, pursuant to Carson Municipal Code Section 9131.1, Permitted Uses – Vehicle Sales and Service. A Modification to SUP 160-77 was approved in 2004, along with Design Overlay Review No. 847-04 which expanded the former RV sales permitted at 1152 E. Carson Street to include 1202 E. Carson and authorized construction the new sales facility. SUP 160-77 has since expired, thus the request to authorize CUP 864-11.

Public Safety Issues

After consulting with the Public Safety Department it was determined that there have not been nor are there any current zoning code enforcement cases associated with this property.

III. Analysis

Location/Site Characteristics/Existing Development

The subject property is located at 1202 E. Carson Street in the City of Carson, between Recreation Road to the west and Acarus Avenue to the east. Regional vehicular access to the subject property is served by Carson Street; the 405 freeway is within 1/10 of a mile, and the 710 and 110 freeways are within 2 ½ miles, both accessible from or near Carson Street. Adjacent uses include single-family residential property and the Dominguez Channel and 405-Fwy overpass. A mixture of light industrial and commercially-zoned properties (both currently vacant) are to the north of the subject property across Carson Street. The subject property is trapezoidal-shaped with the longest length on the east side of 494 feet and the Carson Street frontage being 230 feet. The lot size is 62,840 square feet, or 1.44 acres.

Zoning/General Plan/Redevelopment Area Designation

The subject property is zoned CG-D (Commercial, General; Design Overlay) and is within the Carson Consolidated Redevelopment Project Area. The adjacent properties to the east are zoned RM-12-D (Residential, Multi-Family, 12 Units/Acre). The General Plan Land Use designations are consistent with the zoning designations for the above mentioned properties.

Project Details

The proposed truck wash and lube building is 3,825 square feet, 18-feet high, and consists of two bays: one for truck washing via electronically-controlled mechanical equipment with state-of-the-art water capturing, filtration, and recycling facilities; and the other a truck lube (oil change and fluid changes) area; and a 1,500-square-foot storage area. The new building will be finished with a metal-panel applied with stucco and painted to match the existing sales and service building. The service bay doors are corrugated metal roll-up doors with vertically-corrugated metal frames.

The vacated, former gas station building located in the center of the property will be demolished, with that area and the whole west side of the property to be used for retail display of diesel trucks.



The applicant intends to reuse and refurbish the currently vacant showroom area of 3,983 square feet, including sales offices and restrooms. The existing service center adjoins the sales offices through a common, heavy-duty, fire-rated wall. The service center is composed of seven, 49-foot by 16-foot service bays. Each service bay has a 12-foot by 14-foot door opening facing west (away from the residences), and a canopy which extends out eight feet for the length of the service building, providing a covered area over the service bay roll-up doors. One roll-up door is located in the center of the rear of the service building. A five-foot-wide concrete slab sidewalk encircles the perimeter of the sales building.

Preliminary sign locations have been proposed along the rear, west side and front of the buildings, which appear to be in compliance with current zoning code requirements. Sign approval will be considered by planning staff when sign permits have been applied for after the discretionary entitlement process. The existing pole sign located at the northwest corner of the property will continue to be used and will be refaced with new sign panels.

The property is paved with a concrete-asphalt base per Municipal Code standards with landscaping along the interior lot lines and in the front yard setback area. A total of 29 automobile parking spaces are provided, including two disabled parking spaces. There are a total of 28 truck parking spaces provided for display of new diesel trucks for sale. Vehicular access onto the subject property is adequately served by the two existing driveways located on the property. Circulation on the subject property is facilitated by the removal of the existing building from the center of the property. Trailers will not be stored on the property, nor are they sold from the property.

There is adequate lighting provided on the property as well as light packs on the walls of the existing and proposed buildings. A six-foot-high wall currently sits along the east side of the property and the applicant is proposing a six-foot-high wrought-iron fence for the south property line. An existing eight-foot-high wrought-iron fence fronts the north property line along Carson Street with sliding gates at the driveway entrances, behind the existing 10 feet of landscaping. All areas in the front yard setback which are currently non-compliant will be upgraded to meet the 10-foot landscaped setback standard.

Business Details

Inland Kenworth plans to employ nine people with an anticipated increase of at least five employees after the first year of business, with additions to parallel growth thereafter. The sales center will be open six days per week to start, Monday through Friday for parts/service operating 7 a.m. to 7 p.m., and Saturday parts/service from 7 a.m. to 4 p.m. Sales activities will occur during these same hours. The business plans to be closed Sundays. Projected sales in truck units are 40 new and 20 used during the first year to 100 new and 60 used by year three, resulting in taxable sales ranging from six to 25 million annually, increasing year-over-year for the first three years. The Inland Group currently operates six truck dealerships in the southwest United States, and thirteen in British Columbia, Canada, with the closest located in Montebello, CA. The company is headquartered in Burnaby, BC, Canada.



Additional information can be found on the company website at www.inland-group.com.

Required Findings: Design Overlay Review No. 1401-11

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses;
- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area;
- c. Convenience and safety of circulation for pedestrians and vehicles;
- d. Attractiveness, effectiveness and restraint in signing, graphics and color; and
- e. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

Furthermore, Section 9172.21 (D) of the Zoning Ordinance requires that the Planning Commission, by Resolution, render its approval for the Conditional Use Permit requests based on the ability to make affirmative findings concerning the following:

- 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; and
- f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

In addition to the general criteria found in Section 9172.21(D)1 required for the approval of a Conditional Use Permit, Section 9133, Conditional Use Criteria, identifies criteria and limitations as indicated below that shall be considered when acting upon a Conditional Use Permit allowing for the sales and service of recreational vehicles (over 2-tons) in a Commercial, General – Design Overlay zone:

- a. The number and size of vehicles on hand and the appearance thereof shall not create the character of a truck yard or industrial use.

All of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision", Section 9171.21(D)1,



"Conditional Use Permit, Commission Findings and Decision", and Section 9133, "Conditional Use Criteria" can be made in the affirmative, provided that the conditions of approval are adhered to. Specific details regarding the applicable findings identified for each of the discretionary permits are incorporated in the attached resolutions.

Issues of Concern and Proposed Mitigation

- **Issue – Landscaping:** A large portion of the 1.44 acre project site is proposed to be paved and used for motor vehicle circulation (i.e. RV's) onsite. Also, the project site fronts Carson Street. Because of this, staff is recommending more landscaping to enhance curb appeal and help to screen the service use from public view along the right-of-way and adjacent residential properties.
 - **Mitigation:** Increased landscaping for the interior parking lot area and area adjacent to the proposed building, and where needed in the front yard setback area is required. Conditions of approval have been included.

IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), Article 19, Section 15332, In-fill Development Projects, the proposed development of a diesel truck sales and service center is deemed "Categorically Exempt".

V. Recommendation

That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No.____, entitled "A Resolution of the Planning Commission of the City of Carson Approving Conditional Use Permit Nos. 864-11, 865-11, and 866-11, and Recommending Approval of Design Overlay Review No. 1401-11 to the Carson Redevelopment Agency for construction of a new diesel truck wash and lube facility to be used in conjunction with a new diesel truck sales (over two tons) use, showroom, and repair facility located at 1202 E. Carson Street."

VI. Exhibits

1. Letter from California Regional Water Quality Control Board dated July 21, 2011
2. Land Use Map
3. Draft Resolution
4. Site plan, elevations, floor plans (under separate cover)

Prepared by:  _____
Steven Newberg, AICP, Associate Planner

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

Approved by:  _____
Sheri Repp, Planning Manager





**California Regional Water Quality Control Board
Los Angeles Region**



Linda S. Adams
Acting Secretary for
Environmental Protection

320 West Fourth Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • Fax (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

July 21, 2011

Mr. Courtland Prowell
Prowell Family Trust
3997 Mistral Drive
Huntington Beach, CA 92649

SUBJECT: SITE STATUS LETTER

**SITE/CASE: DOMINGUEZ CHANNEL RELEASE
FORMER ACTIVE RV, 1202 E. CARSON STREET
FORMER HUMBLE OIL GAS STATION, 1216 E. CARSON STREET
CARSON, CALIFORNIA (SCP NO. 1110A AND 1110B)**

Dear Mr. Prowell:

The Los Angeles Regional Water Quality Control Board (Regional Board) is currently providing regulatory oversight for the assessment and cleanup efforts for a release of petroleum into the Dominguez Channel adjacent to the above-referenced properties (collectively, the "Site"). In order to assist you in completing a sale or lease of the Site, you have requested that Regional Board staff provide you with a Site Status letter. This letter is prepared to summarize the status of onsite environmental assessment and the additional level of efforts anticipated before a site closure is considered.

BACKGROUND AND RECENT ASSESSMENT

The Regional Board is the public agency with the primary responsibility for the protection of groundwater and surface water quality for all beneficial uses within major portions of Los Angeles County and Ventura County, including the above-referenced Site. Light non-aqueous phase liquids (LNAPL) have been surfacing from the bottom of the Dominguez Channel since January 2011. To evaluate the sources of the LNAPL, this Regional Board issued investigative Orders to you and other parties on April 26, 2011, under California Water Code (CWC) section 13267. The investigative Order issued to the Prowell Family Trust required an investigation of the former Humble Oil service station.

We received the following work plan, submitted on your behalf, in response to the Order issued to you:

- *Additional Former Underground Storage Tank (UST) Investigation Work Plan, Prowell Trust Property – 1152, 1202, and 1220 East Carson Street, Carson, California (Work Plan), prepared by Stechmann Geoscience, Inc., dated May 27, 2011.*

Under the Work Plan, with modifications made in consultation with Regional Board staff, 10 Ultraviolet Optical Screening Tool (UVOST) probes were advanced across the Site at locations associated with the former underground storage tanks (USTs), former dispensers, existing and former pipelines that transect the

EXHIBIT NO. 1-

California Environmental Protection Agency

Recycled Paper

EXHIBIT NO. 1



Site, and adjacent to the Dominguez Channel. Groundwater samples were collected from nine of the boreholes and a soil sample was collected from one borehole in the vicinity of the former USTs. The results of this work are documented in:

- *Additional Limited Phase II Environmental Site Assessment*, 1152, 1202, and 1220 East Carson Street - Prowell Trust Property, Carson, California (Report), prepared by Stechmann Geoscience, Inc., dated June 16, 2011.

The Report concluded that:

1. UVOST and analytical data both indicate that the highest concentrations of petroleum hydrocarbons occur nearest Carson Street and the three pipelines that transect the Site. Significantly lower contaminant levels were found elsewhere on the property. This suggests the Site has been impacted by the larger regional plume documented in the area.
2. Elevated concentrations of gasoline aromatics were found in several borings including several oxygenated fuel compounds. Benzene groundwater concentrations were the highest among the gasoline aromatics. Relatively low concentrations of TPH were detected in the groundwater samples.
3. The TPH tests were indicative of a gasoline signature, with the lab identifying samples that were characterized as aged and more recent. The groundwater samples from Borings UV-1, UV-2, UV-4, and UV-6 were identified as more closely matching the gasoline standard chromatographic pattern than samples from the other borings that showed evidence of biodegradation or aging.
4. The presence of fuel oxygenate compounds suggest a gasoline release occurred after 1989 when these compounds were widely added to gasoline. The USTs on the Site were removed in 1977 predating the use of these compounds by over a decade.
5. Data obtained from Boring UV-6 evidence such low levels of contaminants (and many not detected results) across the spectrum (TPH, VOCs, and UVOST) as to demonstrate that, regardless of what may have been present in the former UST site, that location has not been the source of any contaminant migrating off site or toward the Dominguez Channel. Any such migration or release would by necessity show elevated results in the Boring UV-6 data, which is not the case.
6. No evidence was found to suggest that any USTs remain on the Site or that those tanks leaked or have adversely impacted the environmental condition of the property.
7. Given that the USTs were removed prior to the use of fuel oxygenate compounds and that no uses of the property since Prowell Trust ownership involved gasoline distribution, the likely source or sources of contamination on the Site are the pipelines adjacent to the property on Carson street, the pipelines that transect the property, and/or the former Texaco Gas Station across the street.
8. CPT data indicate Site soils are almost entirely fine-grained, low permeability sediments (e.g., silts and clays) in the upper 40 feet with no significant laterally continuous groundwater-bearing zone(s) identified. These conditions suggest a low probability of contaminant migration from the property to surrounding areas or to underlying groundwater.

In addition, Regional Board staff note that documentation from the City of Carson of gasoline seepage into a septic leach test pit exists from a 1954 inspection at the Site, which predates the former Humble Oil service station.

Mr. Courtland Prowell
Prowell Family Trust

- 3 -

July 21, 2011

STATUS OF INVESTIGATION AND CLEANUP

This Regional Board concludes that the requirements of the April 26, 2011, CWC section 13267 Order issued to the Prowell Family Trust have been substantially satisfied. Based upon the distribution of contaminants documented in the Report, upon the presence of gasoline at the Site prior to the service station's construction, and other data in our files, the Regional Board concurs that the source of LNAPL beneath the Site likely did not originate from the operations of the former Humble Oil service station. Therefore, this Regional Board does not have any additional investigative requirements for the Site owners at this time.

The Regional Board cautions that we anticipate that additional investigation work will be required at the Site to complete delineation of contaminants and to perform remediation prior to closing the two cases at the Site. The Regional Board currently intends to pursue other parties to perform this work. If a responsible party for the contaminants detected at the Site is not identified or if additional data or data evaluations suggest that a contaminant source does exist at the Site, the Regional Board may require the Site owners to perform the additional assessment or remediation activities.

In addition, while the Report concludes that existing chemical concentrations are unlikely to pose significant health risks to occupants of the property, the Regional Board is not aware of any health risk evaluation for the Site using current data.

The Regional Board staff appreciates the cooperation and coordination you provided for the recent work at the Site.

If you have any questions, please contact Greg Bishop at (213) 576-6727 or gbishop@waterboards.ca.gov.


Sincerely,

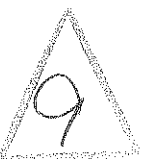


Samuel Unger, P.E.
Executive Officer

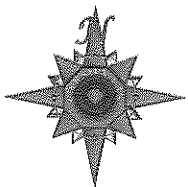
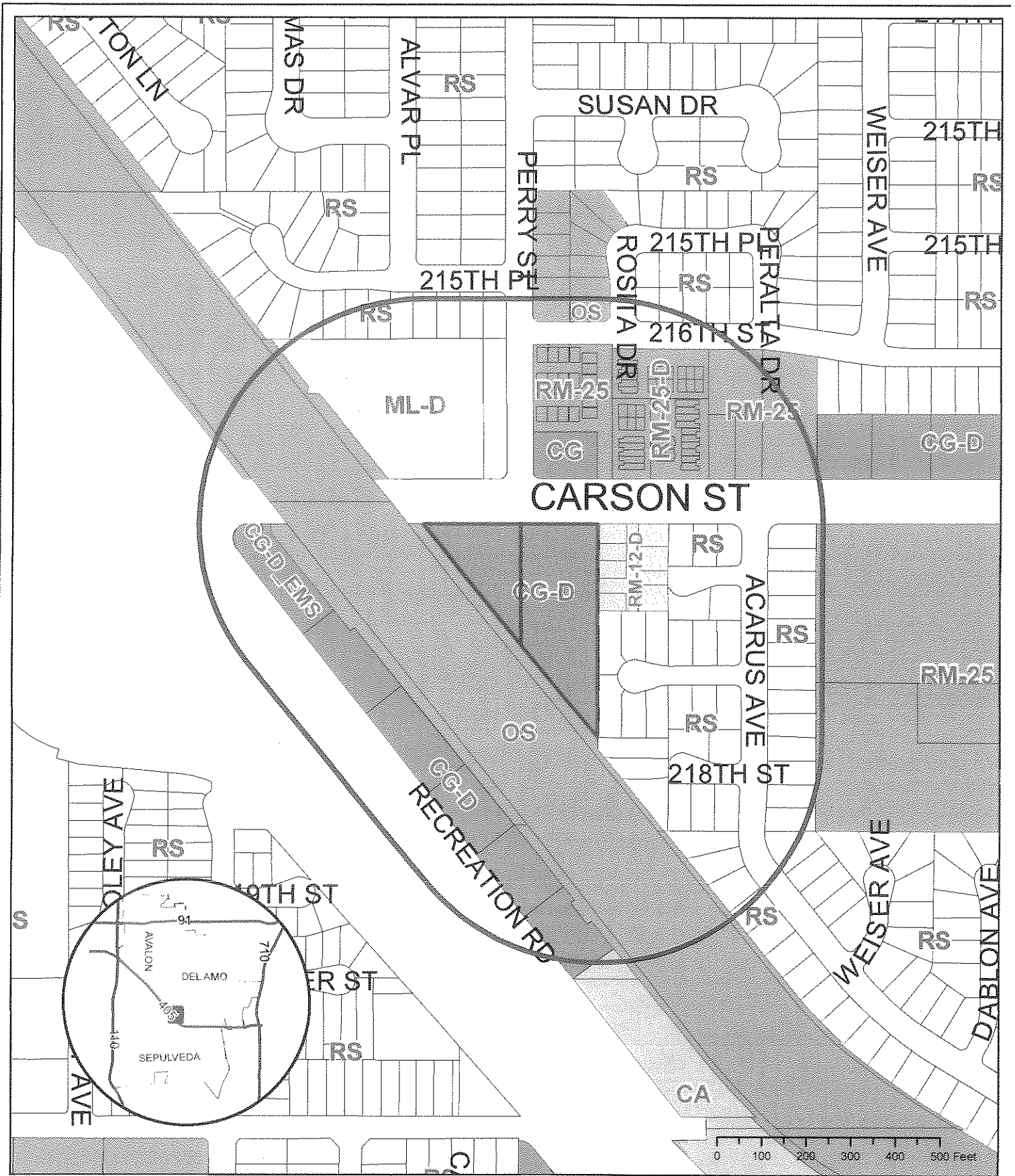
Cc: Mr. Larry Alexander, Crimson Pipeline
Ms. Mary Jo Anzia, AECOM
Mr. Lalo Bakhoun, South Coast Air Quality Management District
Mr. Hector Bordas, Los Angeles County Department of Public Works/Flood Control District
Mr. Edward Boyes, California Dept. of Fish and Game
Mr. Jojo Comandante, Los Angeles County Fire Department
Mr. Christian Corbo, California Dept. of Fish and Game
Ms. Adriana Crasnean, Cal Fire
Ms. Donna DiRocco, BP Pipelines
Mr. Jack Draper, Law Offices of Jack A. Draper, P.C.
Ms. Patricia Elkins, City of Carson

California Environmental Protection Agency

 Recycled Paper



Mr. John Englehardt, Resource Environmental, LLC
Mr. Darrel Fah, BP US Pipelines and Logistics, Inc.
Mr. Mark Fahan, Holguin, Fahan & Associates, Inc.
Mr. Dan Fischman, ConocoPhillips Company
Mr. Eugene Freed, Shell Oil Products US
Ms. Rebecca Frend, URS Corporation
Mr. Daniel Gabel, Tesoro Corporation
Ms. Amy Gaylord, Pillsbury Winthrop Shaw Pittman LLP
Mr. Bob Gorham, Cal Fire
Mr. Marc Greenberg, Keesal, Young & Logan
Mr. John Hawkinson, Carson Estate Companies
Mr. Gary Hildebrand, Los Angeles County Department of Public Works/Flood Control District
Mr. Matt Himmelstein, URS Corporation
Mr. Corey Kong, California Dept. of Fish and Game
Mr. Taras B. Kruk, URS Corporation
Mr. Todd Littleworth, Chevron Corporation, Chevron Law Group
Mr. Ed Long, Ocean Blue Environmental
Mr. Chuck MacDonald, Cal Fire
Mr. Sean Moe, California Dept. of Fish and Game
Mr. Louis Mosconi, ConocoPhillips Company
Mr. George Phair, Resource Environmental, LLC
Mr. Martin Powell, USEPA
Ms. Holly Quasem, ConocoPhillips Company
Mr. David Randall, URS Corporation - North Carolina
Mr. Ian Robb, Chevron Environmental Management Company
Mr. Bob Sinclair, Plaines Pipeline
Mr. Rob Speer, Chevron Environmental Management Company
Mr. Robert Stechmann, Stechmann Geoscience, Inc.
Mr. Fred Stroud, USEPA
Mr. Ben Terry, Chevron Environmental Management Company
Mr. Greg Vogelpohl, Resource Environmental, LLC
Ms. Diane Wachi, City of Carson
Mr. Barry White, City of Carson



City of Carson
 500 Foot Radius Map
 1202 E Carson St

EXHIBIT NO. 2 -

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NOS. 864-11, 865-11, AND 866-11, AND RECOMMENDING APPROVAL OF DESIGN OVERLAY REVIEW NO. 1401-11 TO THE CARSON REDEVELOPMENT AGENCY FOR CONSTRUCTION OF A NEW DIESEL TRUCK WASH AND LUBE FACILITY TO BE USED IN CONJUNCTION WITH A NEW DIESEL TRUCK SALES (OVER TWO TONS) USE, SHOWROOM, AND REPAIR FACILITY LOCATED AT 1202 E. CARSON STREET.

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

Section 1. An application was duly filed by the applicant, Lord Constructors (Jim Allman), on behalf of Inland Kenworth, with respect to real property located at 1202 E. Carson Street and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review 1401-11 and Conditional Use Permit Nos. 864-11, 865-11, and 866-11 to authorize the operation a new diesel truck (over two tons) sales and showroom with accessory truck wash and repair facilities in the CG-D (Commercial, General; Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

A public hearing was duly held on December 13, 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.

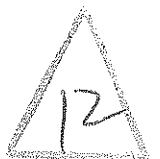
Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. Pursuant to Section 9133, Conditional Use Criteria; Section 9172.23(d), Site Plan and Design Review, Approval Authority and Findings and Decision; and Section 9171.21(d), Conditional Use Permit, Commission Findings and Decision, the Planning Commission finds that:

- a) The subject lot size is approximately 1.44 acres. The existing 1,200-square-foot former gas station building located in the center of the property will be demolished to provide additional open and paved area on the property. The applicant intends to display up to 28 deisel trucks for sale. Additional trucks may be on hand for repair which will be located within the repair bays on the west side of the existing service center. The number and size of diesel trucks on hand and the appearance thereof will not create the character of a truck yard or industrial use in the commercial, general zone.
- b) The project site is located within the CG-D (Commercial, General – Design Overlay) zoning district. The General Plan Land Use designation for the property is General Commercial which is compatible with the property's zoning. Adjacent uses include single-family residential property and the Dominguez Channel and 405-Fwy overpass. A mixture of currently vacant light industrial and commercially-zoned properties lie to

EXHIBIT NO. 3 -

EXHIBIT NO. 3



the north of the subject property across Carson Street, with which the proposed use is compatible.

- c) The proposed truck wash and lube building is 3,825 square feet, 18-feet high, and consists of two bays: one for truck washing via electronically-controlled mechanical equipment with state-of-the-art water capturing, filtration, and recycling facilities; and the other a truck lube (oil change and fluid changes) area; and a 1,500-square-foot storage area. The new building will be finished with a metal-panel, stuccoed and painted to match the existing sales and service building. The proposed structure is designed to be consistent and compatible with the existing sales and service building located on the subject property, which are contemporary in design and layout, consistent with newer automobile sales and service centers elsewhere in the community.
- d) The subject property is paved with a concrete-asphalt base per Municipal Code standards with landscaping along the interior lot lines and in the front yard setback area. A total of 29 automobile parking spaces are provided, including two disabled parking spaces. There are a total of 28 truck parking spaces provided for display of new diesel trucks for sale. Vehicular access onto the subject property is adequately served by the two existing driveways located on the property. Circulation on the subject property is facilitated by the removal of the existing building from the center of the property. Trailers will not be stored on the property, nor are they sold from the property. The property is designed with the convenience and safety for the circulation of pedestrians and vehicles in mind.
- e) Preliminary sign locations have been proposed along the front of the existing sales and service building, with additional potential locations, which appear to be in compliance with current zoning code requirements. Sign approval will be considered by planning staff when sign permits have been applied for after the discretionary entitlement process. The existing pole sign located at the northwest corner of the property will continue to be used and will be refaced with new sign panels. The buildings are painted an earthen tone, with darker beige accent colors throughout. The proposed project displays an overall attractiveness, effectiveness and restraint in signing, graphics and color.
- f) The subject property is trapezoidal-shaped with the longest length on the east side of 494 feet and the Carson Street frontage being 230 feet. The lot size is 62,840 square feet, or 1.44 acres. The site is adequate in size, shape, topography, location and utilities to accommodate the proposed use and development.
- g) The subject property is located at 1202 E. Carson Street in the City of Carson, between Recreation Road to the west and Acarus Avenue to the east. Regional vehicular access to the subject property is served by Carson Street; the 405 freeway is within 1/10 of a mile, and the 710 and 110 freeways are within 2 ½ miles, both accessible from or near Carson Street. The subject property is within a stretch of Carson Street which is a designated truck route. There is adequate street access and traffic capacity.
- h) There is adequate water supply from nearby fire hydrants, as well as fire suppression sprinklers in the existing sales/service building and for the proposed wash/lube/storage

building, which facilitate protection of the buildings and nearby structures in the event of a fire.

- i) The proposed use is consistent with permitted uses in the commercial zone and is compatible with intended character of the area.
- j) The project conforms to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

Section 5. The Planning Commission further finds that the proposed structure and use will not have a significant effect on the environment and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332(a-e) of the CEQA guidelines, which exempts this project as an in-fill development. No further significant environmental impacts would result from this proposal.

Section 6. Based on the aforementioned findings, the Commission hereby adopts the categorical exemption and grants approval of Conditional Use Permit Nos. 864-11, 865-11, and 865-11, and recommends approval of Design Overlay Review No. 1401-11 to the Carson Redevelopment Agency, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify to the adoption of this Resolution and shall transmit copies of the same to the applicant.

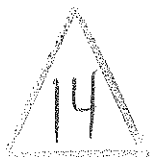
Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 13TH DAY OF DECEMBER, 2011.

CHAIRMAN

ATTEST:

SECRETARY



LORD CONSTRUCTORS, INC.
1920 W. 11TH STREET
UPLAND, CA 91786
PHONE: 909-946-6729
FAX: 909-946-3626

PROWELL FAMILY TRUST u/d/t APRIL 26, 1999
COURLAND SCOTT PROWELL
3997 MISTRAL DRIVE
HUNTINGTON BEACH, CA 92649

APN 7328-002-044

EXHIBIT "A"

LEGAL DESCRIPTION

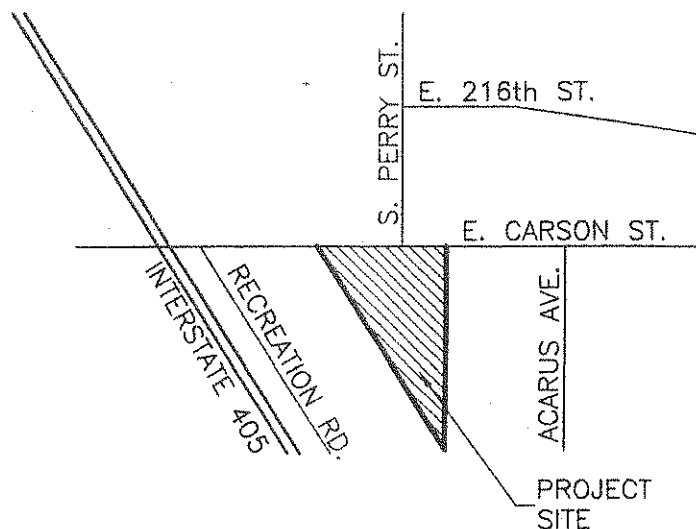
THAT PORTION OF LOT 32 OF TRACT NO. 4546, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 50, PAGES 21 AND 22 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDED NORTHERLY BY THE NORTHERLY LINE OF SAID LOT 32; BOUNDED EASTERLY BY THE WESTERLY LINE OF THE EASTERLY 154.77 FEET OF SAID LOT 32; BOUNDED SOUTHWESTERLY BY THE SOUTHWESTERLY LINE OF SAID LOT 32; AND BOUNDED WESTERLY BY THE WESTERLY LINE OF THE EASTERLY 324.77 FEET OF SAID LOT 32.

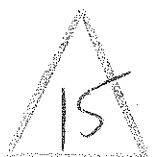
EXCEPT THEREFROM THE SOUTHWESTERLY 25 FEET THEREOF AS CONDEMNED BY FINAL ORDER OF CONDEMNATION IN FAVOR OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, RECORDED AUGUST 18, 1964 AS INSTRUMENT NO. 53 II OF OFFICIAL RECORDS.

EXCEPT THEREFROM THE NORTHERLY 20 FEET THEREOF, AS DEEMED TO THE COUNTY OF LOS ANGELES RECORDED APRIL 18, 1967 AS INSTRUMENT NO. 1795 OF OFFICIAL RECORDS.

ALSO EXCEPT THEREFROM ALL OIL, MINERALS, AND HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY ANGELINA ESPINOZA BY DEED RECORDED JANUARY 7, 1960 AS INSTRUMENT NO. 1585, OFFICIAL RECORDS.



VICINITY MAP



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

**DESIGN OVERLAY REVIEW NO. 1401-11; CONDITIONAL USE PERMIT NO. 864-11;
CONDITIONAL USE PERMIT NO. 865-11; CONDITIONAL USE PERMIT NO. 866-11**

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 1401-11 and Conditional Use Permit Nos. 864-11, 865-11, and 866-11 are not submitted to the City of Carson within one year of their effective dates, said permits shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
5. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.



6. 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.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
9. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. The applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1401-11 and Conditional Use Permit Nos. 864-11, 865-11, and 866-11. 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.
12. All repair and service activities, including storage of equipment and materials, shall be within an enclosed building and conducted in such a manner as not to be a nuisance to the occupants of adjacent properties.
13. All washing of vehicles construed as an automobile laundry, as defined in Section 9138.13 and permitted by this resolution, shall adhere to the standards found in Section 9138.13.

PARKING

14. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.



15. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
16. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
17. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
18. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
19. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
20. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

21. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
22. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
23. 6" x 6" concrete curbs are required around all landscaped planter areas unless otherwise approved by the Planning Division.
24. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
25. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. A minimum 10-foot width landscaped setback area for the entire property line fronting Carson Street;
 - b. Minimum 24" box trees spaced 30-40 feet on center within property unless otherwise approved by the Planning Division;
 - d. Annual flowers wherever possible;
 - e. Irrigation system designed to commercial grade standards.



AESTHETICS

26. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into all building facades, subject to Planning Division approval.
27. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
28. Graffiti shall be removed from all project areas within 15 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

SIGNS

29. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.

FENCES/WALLS

30. A minimum six-foot high wrought-iron fence shall be constructed along the south and west property lines. The design of such fence is subject to review and approval of the Planning Division and required to be installed prior to the final approval of a building permit for the new truck wash and lube structure.
31. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) the Zoning Ordinance.

LIGHTING

32. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.

TRASH

33. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

34. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
35. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.



36. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
37. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

PUBLIC SAFETY - CITY OF CARSON

38. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

39. The Developer shall submit a copy of approved Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
40. The Developer shall submit a copy of approved plans on mylars (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of construction permits.
41. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
42. A construction permit is required for any work to be done in the public right-of-way.

Prior to issuance of Building Permit, the proposed development is subject to the following:

43. The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
44. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
45. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
46. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development.



If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.

47. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
48. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
49. Sewer Main Improvements (if any) along Carson Street as determined by the aforementioned sewer area study.
50. Storm Drain Improvements (if any) along Carson Street as determined by the aforementioned requirement.
51. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to issuance of Building Permit.
52. Proof of Worker's Compensation and Liability Insurance.

Prior to issuance of Certificate of Occupancy, the proposed development is subject to the following:

53. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
54. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
55. Fill in any missing sidewalk within the public right of way along Carson Street abutting this proposed development
56. Remove and replace any broken/damaged driveway approach within the public right of way along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
57. The Developer shall modify existing driveways within the public right of way along Carson Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
58. All existing overhead utility lines less than 12 kilovolts along Carson Street abutting the proposed development, shall be undergrounded to the satisfaction of the City Engineer. Coordinate and contact Southern California Edison and AT&T



for removal of existing wooden poles along the sidewalk and undergrounding of utility lines. [SCE: (310)608-5041 and AT&T (626) 570-5454]

59. All new utility lines, servicing the proposed development abutting the proposed development shall be underground to the satisfaction of the City Engineer.
60. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
61. Install striping and pavement legend per City of Carson standard.
62. Paint Curbs Red along Carson Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
63. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
64. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
65. Comply with mitigation measures recommended by the water purveyor.
66. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
67. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
68. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
69. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

70. 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.

