CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:	December 13, 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

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

On November 8, 2011, the Planning Commission held a public hearing and directed staff to prepare a resolution of approval, with conditions, and a 12-month performance schedule for Conditional Use Permit (CUP) No. 831-10 to authorize an existing auto repair use (International Auto Body and Repair Shop) located at 21012 South Main Street (Exhibit No. 1 and No. 4). The Planning Commission directed staff to prepare the resolution once staff verified the residential use at the site has ceased.

II. Background

On November 10, 2011, staff contacted the applicant to schedule a meeting to discuss an appropriate timeline for the performance schedule and informed the applicant that a public hearing would be scheduled on December 13, 2011. The applicant agreed to schedule a meeting on November 22, 2011.

During a phone conversation on November 17, 2011, the applicant expressed that additional time would be needed to obtain cost estimates for the required improvements and requested the meeting be rescheduled to November 30, 2011. The applicant stated she was not aware that the purpose of the first meeting was for the preparation of the performance standards (Exhibit No. 6).

A site inspection was conducted on November 28, 2011 with planning staff and code. Staff observed that the residence use is no longer at the site, however a full bath (including shower) is still in use. The full bath will be required to be modified to a half bath as part of the performance schedule and as a condition of the CUP. The room with the bathroom is intended for employees only and will not be available to the public.

Following the site inspection, on November 29, 2011, the applicant's father, Reggie Guinto contacted planning staff on behalf of the applicant requesting an extension for the meeting until December 5, 2011. The applicant stated that she was unable to obtain cost estimates and would need additional time. Staff informed the applicant that since the public hearing was already noticed, a meeting should be held as originally planned to discuss the draft performance schedule and if there are any major concerns after a cost estimate is obtained, potential modifications can be discussed at that time.

On November 30, 2011, Planning staff, code enforcement staff, and the applicant met and reviewed the draft conditions of approval (performance standards). A copy of the draft conditions of approval was provided to the applicant in advance for review. During the meeting, the applicant expressed concerns for the requirement to obtain a building permit for the unpermitted roof and to satisfy the recommendations and safety concerns identified in the Property Inspection Report.

The applicant stated that the requirements for the roof and property inspection report were new requirements and that funds were not budgeted for these improvements. The applicant requested an additional 6 months to satisfy the above requirements.

Staff stated that an 18 month performance schedule was rejected by the Planning Commission on November 8, 2011 and that an extension would be difficult to receive.

When discussing the various options for the applicant, the applicant stated she would be unable to satisfy the roof permit and requirements in the property inspection report within the 12 months and understands the possible consequences for that decision, such as a denial for the CUP. Staff informed the applicant to take serious consideration of the consequences and contact staff by December 8, 2011 if circumstances were to change. The applicant has not contacted staff to inform of any changes.

Performance Standards

If the applicant agrees to and executes the performance standards as provided in the conditions of approval (Exhibit No. 1), staff believes affirmative findings can be made according to Carson Municipal Code (CMC) Section 9172.21 – Conditional Use Permit. If the applicant does not agree to the performance standards, staff believes affirmative findings cannot be made in support of a CUP.

The analysis below is based on the assumption that the applicant will agree to the draft resolution and conditions of approval as stated in Exhibit No. 1.

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 proposed project is consistent with the General Plan of the city of Carson in that the subject property is designated for Light Industrial and zoned ML-D (Manufacturing, Light – Design Overlay). Auto repair use is permitted on-site with the approval of a CUP.

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

The property is currently deficient in meeting some of the required standards in CMC Section 9138.2 – Vehicle Service and Repair. However, with the implementation of conditions of approval, performance standards, and correction of code enforcement violations, the site will be better suited to accommodate the auto repair use and generally meet the city's development standards.

All existing code violations have been identified by code enforcement and the property owners are in the process of addressing each issue in coordination with staff and the business operator.

The existing building has several unpermitted additions that were constructed without proper building permits. The performance standards will require that the applicant bring all unpermitted additions/work into compliance.

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

Adequate driveway widths and street access are not currently provided on the site. Per the requirements of CMC Section 9138.2, five (5) parking spaces are required on-site. With the implementation of the conditions of approval the site will be able to accommodate the required parking.

With the restriping/relocation of parking spaces and repair of the damaged parking lot, circulation and safety will be improved for vehicles. The project will not affect or impact the safe circulation of either pedestrians or vehicular traffic.

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

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.

Per the requirements of Ordinance No. 04-1322, the applicant has provided staff with a property inspection report that was prepared by a qualified/certified property inspector (Exhibit No. 5). The inspection report includes recommendations to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. As part of the conditions of approval, the applicant must address all items in the report to the satisfaction of the Planning Division within 120 days from the approval of the conditional use permit.

With the recommendations stated in the property inspection report, performance standard schedule, and conditions of approval, staff believes the existing building and use will be compatible with the current and intended character of the area.

f. Such other criteria as are specified for the particular use in other sections of this chapter (Zoning Ordinance).

The proposed project is subject to the requirements in CMC Section 9138.2– Vehicle Service and Repair. As stated in Section III (b) above, the project generally satisfies the minimum requirements stated within this section. CMC Section 9138.2 (16) states, "That the requirements and limitations contained in this Section shall be

considered minimum standards; provided, however, that the Planning Commission may:

a. Require such additional conditions as are deemed necessary within the intent of CMC 9172.21(D); or

b. Modify such requirements or limitations contained herein which, in the opinion of the Planning Commission, are inappropriate or inapplicable either to the intended use of the property, to the property itself or to adjacent property."

With the implementation of the performance standard schedule, the site will meet the requirements of CMC Section 9138.2 – Vehicle Service and Repair. No additional requirements are recommended.

IV. Environmental Review

Pursuant to Section 15301(a) – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA) Guidelines, the approval of a CUP for an existing vehicle service and repair use located at the project site is exempt. The project does not have the potential to cause a significant effect on the environment.

V. Conclusion

If the applicant agrees to the conditions of approval and performance standards, staff believes the site will meet minimum requirements as stated in the zoning code and supports the approval of CUP No. 831-10. If the applicant does not agree to the 12-month performance schedule and requirements stated in the conditions of approval, staff believes the site will not meet minimum requirements and recommends denial of CUP No. 831-10 (Exhibit No. 2). If the CUP is denied, the existing code enforcement case will remain open and on-site violations will still be addressed.

VI. Recommendation

That the Planning Commission:

- APPROVE 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 APPROVING CONDITIONAL USE PERMIT NO. 831-10 TO PERMIT AN EXISTING VEHICLE SERVICE AND REPAIR USE LOCATED AT 21012 SOUTH MAIN STREET.

VII. Alternative

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."

VIII. Exhibits

1. Draft Resolution for Approval
2. Draft Resolution for Denial
3. Site Map
4. Planning Commission Staff Report, dated November 8, 2011, without exhibits
5. Property Inspection Report
6. Communications
7. Development Plans

Prepared by: _____
Sharon Song, Associate Planner

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

Approved by: _____
Sheri Repp-Loadsman, Planning Officer

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 11-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 823-10 TO PERMIT AN EXISTING VEHICLE SERVICE AND REPAIR USE LOCATED AT 20922 SOUTH MAIN 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 Marichelle Guinto, with respect to real property located at 21012 South Main Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 831-10 to authorize the continued operation of an existing auto repair use in the ML-D (Manufacturing, Light - Design Overlay Review) zoning district.

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

Section 2. The Planning Commission finds that:

a) The property lies within the area designated on the General Plan as available for Light Industrial uses and bears a consistent zoning classification of ML-D (Manufacturing, Light – Design Overlay). The existing auto repair business adheres to the goals and policies described in the Land Use Element of the General Plan for the Light Industrial designation and is also a permitted use in the ML-D zone with the approval of a conditional use permit, subject to the requirements of Carson Municipal Code (CMC) Section 9138.2.

   The project site is located within 100 feet of residential uses, therefore under CMC Section 9138.2 is required to obtain a conditional use permit.

b) The subject site is square, flat, and located within a built and urbanized environment with adequate utilities to accommodate the existing use and development. With the implementation of conditions of approval and correction of code violations, the subject property will have sufficient space to accommodate the proposed use and provide adequate driveways and access.

c) The project involves acquiring a CUP for the operation of an existing auto repair facility. The site will continue to provide adequate street access and traffic capacity. With the implementation of conditions of approval, the site will provide adequate parking spaces and not have a significant impact on traffic. Designated driveways and parking areas will provide adequate and safe circulation of vehicles and pedestrians on site and serve the facility.

d) The applicant has submitted plans for improvements, which include repairing of parking area, restriping of the parking areas, removal of unpermitted structures, construction of landscaping, and removal of unpermitted signage. These

EXHIBIT NO. 1 -

improvements will improve the general area and be compatible with the intended character of the area.

e) The existing facility provides adequate access for emergency vehicles, including the Fire Department and adequate water supply is provided in the area for fire protection.

f) Conditions of Approval are included in Exhibit "B" of this Resolution which identify performance standards and a schedule for implementation to improve the site and meet all code requirements within twelve (12) months.

g) The applicant acknowledges that if any performance standard is not satisfied within the schedule time period or the site does not satisfy all requirements within twelve (12) months, the CUP may become null/void and any auto repair use on site must vacate within 30 days from the date the CUP is deemed invalid.

h) If all performance standards are completed within the time allowed, the Planning Commission shall review the CUP to determine if an extension of time can be authorized pursuant to the applicable findings to ensure the use is still consistent with the existing and intended character of area. The CUP may expire at the end of the twelve (12) month term unless the Planning Commission is able to make affirmative findings to support an extension to the permit.

i) The use will comply with the City's development standards for auto repair facilities as outlined in Section 9138.2 of the CMC, unless modified by the conditions of approval set forth in Exhibit "B" attached hereto.

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

Section 4. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 831-10 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

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

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

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF DECEMBER, 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

CITY OF CARSON

ECONOMIC DEVELOPMENT

PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 831-10

GENERAL CONDITIONS

1. Upon activation, the Conditional Use Permit pursuant to this resolution shall become null and void if any of the conditions of approval and/or performance standards are not satisfied or completed within the allotted time.

2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.

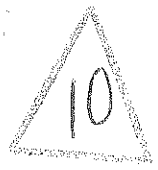
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any minor revisions shall be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.

4. 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.

5. 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.

6. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require a modification from the Planning Commission prior to the approval/issuance of the business license.

7. All operations such as work or repair on vehicles must be conducted on-site within an enclosed building, not visible to the public.



8. All damaged or wrecked vehicles awaiting repair shall effectively be screened so as not to be visible from surrounding property or from any adjoining public street or walkway.

9. No residential use shall be permitted on-site at any time.

10. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.

11. No auto repair activities are permitted in areas visible to the public.

12. 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.

13. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.

14. Avoid hosing down work areas. If work areas are washed, collect and store wash water and dispose appropriately, according to state law. Use dry sweeping if possible.

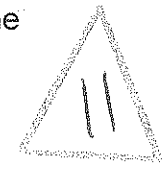
15. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up, if applicable.

16. Post signs at sinks to remind employees not to pour wastes down drains.

17. The owner/applicant shall provide for public use storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices. The Planning Division shall approve the location for company "used oil recycling" services.

18. In accordance with Ordinance No. 04-1322, the applicant has provided a property inspection report for the site which identify potential plumbing, electrical and fire code deficiencies. The report also includes plans to eliminate or mitigate any deficiencies identified. The mitigation measures in such report shall be hereby incorporated in these conditions of approval within 120 days permitted to allow for the mitigation measures, if any, to be completed subject to the Planning Division's review and approval.

19. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 831-10. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the



City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

Performance Standards – *The applicant shall be responsible for satisfying the following performance standards within the allotted time (performance schedule is provided below):*

20. Conditional Use Permit No. 831-10 shall be subject to a full review by the Planning Commission no later than twelve (12) months from the date of Planning Commission approval. The applicant shall submit a request for review of the CUP. Review of the CUP will be pursuant to CMC Section 9172.21(G) – Subsequent Modifications of Conditions. The Planning Commission shall consider the continuation of the auto repair use to determine compatibility and appropriate operating conditions or standards after the 12-month period. A public hearing need not be required unless requested by the applicant, Director, Commission or Council. Applicable fees shall apply.

21. If a request for review of the CUP is not submitted to the Planning Division within twelve (12) months from the date of Planning Commission approval, the CUP pursuant to this resolution may become null and void and any auto repair use on site must be vacated within 30 days from the date the CUP is deemed invalid.

22. Upon activation, the conditional use permit pursuant to this resolution shall become null and void if the applicant fails to satisfy the performance standards within the allotted time. If the CUP is deemed null and void, all auto repair activities must be vacated within 30 days from the date the CUP is deemed invalid.

23. Within 30 days from the date of CUP approval, the applicant shall remove all unpermitted on-site signage. The owner/applicant shall apply for a separate sign and/or banner permits, if applicable. Approval of said permit shall be subject to Planning Division's review and approval for proper size, height, type, material, and design standards to be applied consistently with the ML-D (Industrial, Light – Design Overlay) zoning district.

24. Within 30 days from the date of CUP approval, the owner/applicant shall submit to Building and Safety for demolition and/or building permits for all unpermitted structures including, the unpermitted additions to the rear, unpermitted bathroom in the room, removal/modification of the full bath to half bath, unpermitted addition to the north, unpermitted roof, and interior improvements.

25. Within 60 days from the issuance of the building permit, the property owner shall remove the unpermitted bathroom in the rear and modify/remove the full bath to a half bath.

26. Within 60 days from the date of CUP approval, the owner/applicant shall submit a floor plan, site plan, and landscape/irrigation plan to the Planning division for review and approval.

27. Within 60 days from the date of site plan and floor plan approval, the applicant/owner shall repair all broken concrete/asphalt on-site and level the parking area. The applicant must also obtain any grading permits, if necessary.

28. Within 60 days from the date of landscape plan approval, the applicant/owner must install landscaping according to the approved plan. All landscaping shall be maintained by an automatic drip irrigation system.

29. Within 90 days from the date of site plan and floor plan approval, the owner/applicant shall stripe parking spaces for the appropriate number of parking spaces and bumper stops per the approved site plan and as required in the Carson Municipal Code. All ADA requirements must also be satisfied.

30. Within 60 days from the date of CUP approval, the owner/applicant must obtain proper permits from Building and Safety for the spray booth.

31. Within 180 days from the date of CUP approval, the owner/applicant must obtain building permits for the unpermitted roof.

32. Within 8 months from the date of CUP approval, the owner/applicant must begin demolition/construction of all unpermitted partitions, unpermitted additions to the rear and north. The owner/applicant must obtain proper permits from Building and Safety prior to any construction/demolition.

33. Within 11 months from the date of CUP approval, the owner/applicant must complete any remaining construction and/or tenant improvements. All interior improvements such as closing off doors, repairing walls must meet building code requirements.

34. Within 12 months from the date of CUP approval, the owner/applicant must complete any necessary façade improvements, such as installing gates, fences, repairing/painting areas that were affected by construction.

35. Within 12 months from the date of CUP approval, the owner/applicant must request and pay for a site inspection to the Planning Division.

36. The Planning Commission may revoke this conditional use permit pursuant to this resolution if the application fails to satisfy the performance standards within the allotted time. If the CUP is deemed null and void, all auto repair activities must be vacated within 30 days from the date the CUP is deemed invalid.

37. The applicant may not submit for an extension of time.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

38. All construction must be completed by a licensed contractor.

39. 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.

Performance Schedule

Deadline (From the date of CUP approval, unless otherwise noted)	Performance Standards
30 days	Remove all unpermitted signage.
30 days	Submit for sign permits, if applicable.
30 days	Submit to Building and Safety for demolition and building permits, if not already done so.
60 days from the issuance of the demolition permit	Remove/modify the full bath to a half bath. Remove the unpermitted bathroom in the rear.
60 days	Submit a landscaping and irrigation plan.
60 days	Submit a site plan and floor plan to Planning Division.
60 days from the date of site plan and floor plan approval.	Repair all broken concrete/asphalt. Level parking area. Obtain any grading permits, if necessary.
60 days from the date of landscape plan approval	Install landscaping and irrigation.
60 days	Obtain permits from Building and Safety for the spray booth.
90 days from the date of site plan and floor plan approval.	Provide striping for parking spaces and meet ADA requirements.
120 days	Satisfy the recommendations and safety concerns identified in the Property Inspection Report.
180 days	Obtain building permits for the unpermitted roof.
8 months	Begin the demolition of unpermitted partitions, unpermitted addition to the rear, and unpermitted addition to the north. Must obtain proper permits from Building and Safety prior to any construction/demolition.
11 months	Complete any remaining construction and/or tenant improvements. Complete any interior improvements such as closing off doors, repairing walls, etc. to meet building code requirements.
12 months	Complete any necessary façade improvements. Install gates, fences, etc. (if necessary). Request a site inspection to Planning and pay applicable fees.

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, 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 December 13, 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". 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.

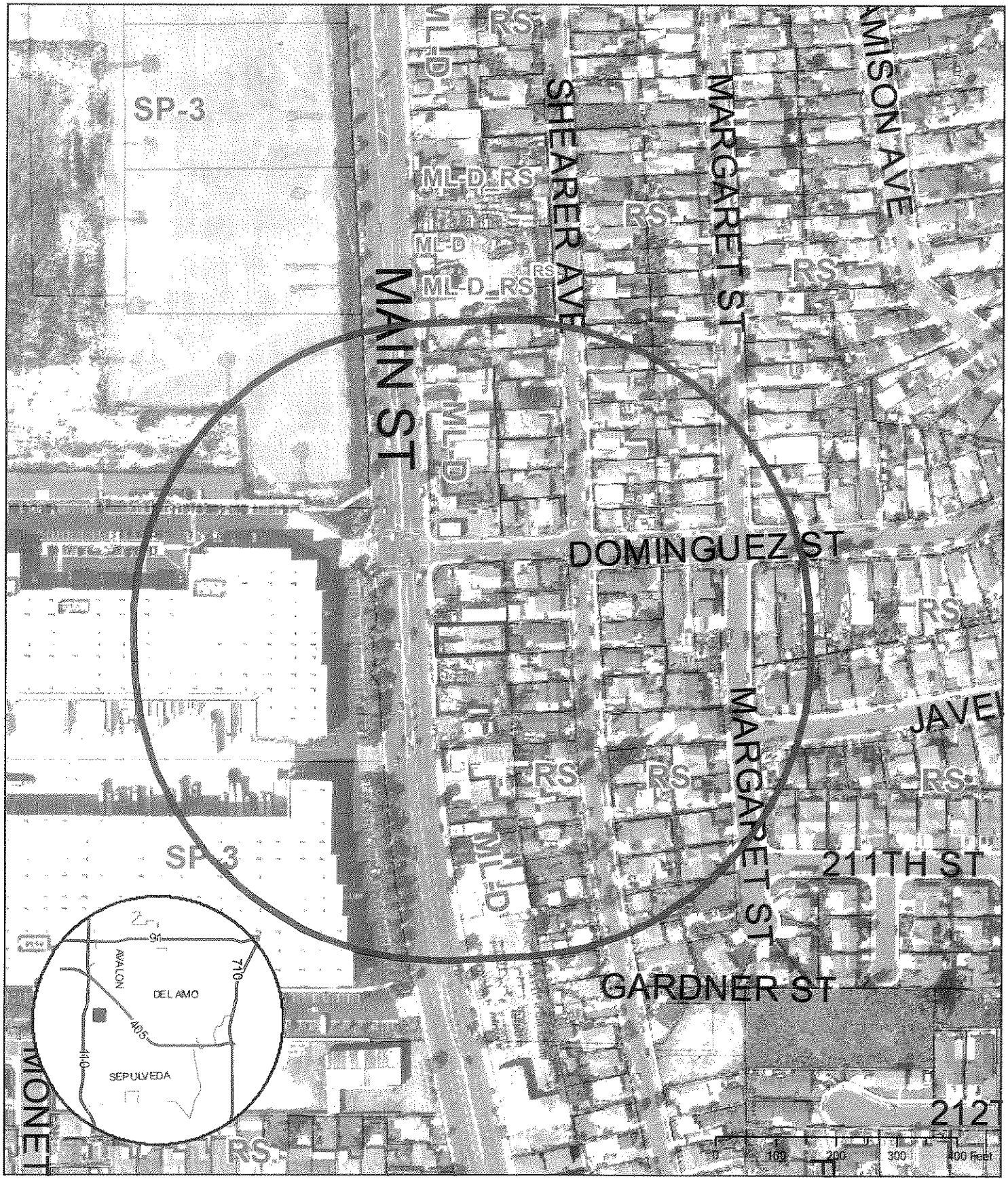
Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

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

_____
CHAIRMAN

ATTEST:

_____
SECRETARY



City of Carson
500 Foot Radius Map
21012 Main St

EXHIBIT NO. 3 -

17

Date Printed: Thursday, June 16, 2011
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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

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			

EXHIBIT NO. 4

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 in1998 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 caretakers 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

HOME INSPECTIONS BY DARRELL IMEL
A General Contractor Since 1973
P.O. Box 1132, Torrance, CA. 90505
Tel: (310) 625-3149
Fax: (310) 325-5210

4/27/10
DATE

REGGIE GUINTO & CITY OF CARSON PLANNING DEPT. (SHARON SONG)
NAME

21012 S. MAIN
PROPERTY ADDRESS

CARSON | CA. | 90745
CITY | STATE | ZIP

PRESENT AT INSPECTION: ☒CLIENT ☐SELLER ☐LISTING AGENT ☐SELLING AGENT ☐INSPECTOR ONLY

DESCRIPTION OF PROPERTY INSPECTED:

☐SINGLE FAMILY RESIDENCE
☐ TOWNHOME/CONDOMINUM-INTERIOR ONLY
☒ COMMERCIAL
☐ MULTIPLE UNITS #_____
VACANT ☐ OCCUPIED ☒

BEDROOMS 3
BATHROOMS _____
POOL _____
SPA _____

REPORTED SQUARE FOOTAGE 1,800+
WEATHER CONDITIONS: OVERCAST

INSPECTION REPORT CODES:

GOOD: MEANS THE ITEM APPEARS IN OPERATING CONDITION AND DOES NOT SHOW EXCESSIVE WEAR AT THE TIME OF THE INSPECTION.

FAIR: MEANS THE ITEM IS OPERATING BUT MAY NEED REPAIR OR REPLACEMENT IN THE NEAR FUTURE AND SHOWS SIGNS OF WEAR AND AGING.

POOR: MEANS THE ITEM IS IN NEED OF IMMEDIATE REPAIR AND OR REPLACEMENT.

DARRELL IMEL
INSPECTOR

EXHIBIT NO. 5 -

AGREEMENT FOR HOME INSPECTION SERVICES

For and in consideration of the promises and terms of this Agreement For Home Inspection Services (this "Agreement"), Inspector and Client hereby agree as follows:

1. INSPECTOR agrees to perform a visual inspection of the subject house and to provide CLIENT with a written inspection report identifying the major deficiencies. This inspection will be of the readily accessible areas of the house and is limited to visual observation of apparent condition existing at the time of the inspection only. The written report will include the following systems and items only:

   * Structural Components
   * Exterior Structure
   * Attic
   * Drainage
   * Electrical
   * Fireplaces
   * Heating
   * Grounds
   * Interior
   * Foundation
   * Plumbing
   * Central Air Conditioning
   * Insulation and Ventilation
   * Basement or Crawl Space
   * Built-in Appliances
   * Roof

2. Systems and items which are EXCLUDED from this inspection include, but are not limited to, the following: recreational and playground facilities, including, but not limited to, tennis courts and swimming pools; geological and soil conditions; sprinkler systems (fire and lawn); solar systems; water wells; below ground septic or drainage systems; smoke detectors; wiring not part of the primary electrical distribution system, including but not limited to, intercoms, cable TV, security systems, and audio systems; portable appliances, including, but not limited to, washers and dryers and window air conditioning units; and any items considered cosmetic. Any comments about the foregoing excluded systems and items are informational only and are not part of the inspection. The presence or absence of pests such as wood damaging organisms, rodents or insects is EXCLUDED from this inspection. The presence of such pests may be noted for informational purposes only. The CLIENT is urged to contact a reputable and licensed specialist if identification and extermination of the pests is desired.

3. The inspection and report will be performed in a manner consistent with the standards of the American Society of Home Inspectors ("ASHI") and the terms used in this Agreement shall have the same meaning given them in the ASHI standards. A copy of the standards of ASHI is available for the CLIENTS review at INSPECTOR'S office. The inspection and report are performed and prepared for the sole, confidential and exclusive use and possession of the CLIENT. INSPECTOR accepts no responsibility for use or misinterpretation by third parties.

4. INSPECTOR is not required to move personal property, debris, furniture, equipment, carpeting or like materials which may impede access or limit visibility. Major deficiencies and defects which are latent or concealed are excluded from the inspection. The inspection is not intended to be technically exhaustive. Equipment and systems will not be dismantled. The inspection report is not a compliance inspection for any governmental codes or regulations.

5. The inspection and report do not address, and are not intended to address the possible presence of or danger from asbestos, radon gas, lead paint, **mold**, formaldehyde, pesticides, toxic or flammable chemicals, water or airborne related illness or disease, and all other similar or potentially harmfully substances. The CLIENT is urged to contact a reputable specialist if information, identification or testing for the foregoing is desired.

6. NEITHER THE INSPECTION NOR THE INSPECTION REPORT IS A WARRANTY, EXPRESS OR IMPLIED, REGARDING THE ADEQUACY, PERFORMANCE OR CONDITION OF ANY INSPECTED STRUCTURE, ITEM OR SYSTEM. THE INSPECTION AND REPORT ARE NOT INTENDED TO REFLECT THE VALUE OF THE PREMISES, OR TO MAKE ANY REPRESENTATION AS TO THE ADVISABILITY OR INADVISABILITY OF PURCHASE OR SUITABILITY FOR USE.

7. The parties agree, that the maximum liability for INSPECTOR, arising from any failure to perform any of the obligations of the INSPECTOR under this Agreement, is limited to an amount not to exceed the fee paid for the inspection service.

8. Payment is due upon completion of the on-site inspection.

9. INSPECTOR is authorized to disclose any and all items in the inspection report. Yes ____ No ____

10. This Agreement represents the entire agreement between the INSPECTOR and the CLIENT. No change or modification shall be enforceable against either party unless such change or modification is in writing and signed by both the INSPECTOR and the CLIENT. This Agreement shall be binding upon and enforceable by the parties, and their heirs, executors, administrators, successors and assigns.

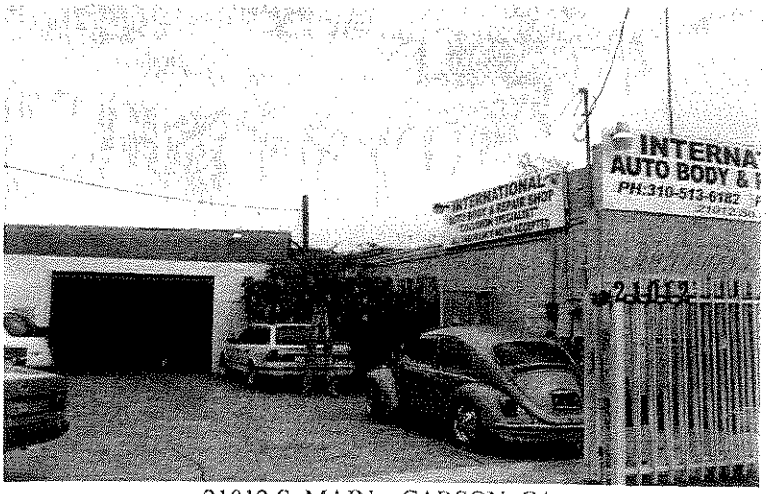
11. **MOLD DISCLOSURE:** THIS PROPERTY WAS NOT INSPECTED FOR THE PRESENCE OR ABSENCE OF HEALTH RELATED MOLD OR FUNGI. BY CALIFORNIA LAW, WE ARE NOT QUALIFIED, AUTHORIZED OR LICENSED TO INSPECT FOR HEALTH RELATED MOLD OR FUNGI, IF YOU DESIRE INFORMATION ABOUT THE PRESENCE OR ABSENCE OF HEALTH RELATED MOLD, YOU SHOULD CONTACT AN INDUSTRIAL HYGIENIST.

DARRELL IMEL
Inspector

REGGIE GUINTO
Client or Client's Representative

I hereby warrant that I am authorized to enter into this Agreement on behalf of Client.

Client Representative



21012 S. MAIN CARSON, CA.

ROOF SYSTEM

Kind of roof?
Composition Shingles☐ Rolled Composition☒
Wood☐ Tar & Gravel☐ Tile☐
other_____
Layers of roofing? **APPEARS TO BE TWO**
Condition? good☐ fair☒ TO poor☒
Vent caps missing or damaged? yes☐ no☒
Mastic seal repairs needed? yes☒ no☐
Properly flashed? yes☒ no☐
Not accessible or walked due to:
type☐ height☐ weather☐ pitch☐
Viewed from Ladder-Binoculars -Vantage Points☒
Recommend that the roof be monitored for maintenance on a regular basis? yes☒ no☐
Comments: **1) ROOF LEAKS IN SEVERAL SPOTS (REFER TO ROOFING CONTRACTOR)**

GUTTERS/DOWNSPOUTS N/A

Are there gutters? yes☐ no☐
Gutters are? metal☐ vinyl☐
Evidence of leaks? yes☐ no☐
Do downspouts have kick-outs? yes☐ no☐
Water flows away from foundation? yes☐ no☐
Condition of gutter system? good☐ fair☐ poor☐
Comments:

CHIMNEYS N/A

Any Chimneys? yes☐ no☐
Type? masonry☐ frame☐ other_____
If masonry, any loose/missing bricks or mortar?
yes☐ no☐
Does chimney have?
cap☐ squirrel cage☐ screen☐ nothing☐
Does chimney have?
ash pit☐ clean outdoor☐ neither☐
Condition of chimney? good☐ fair☐ poor☐
Comments:

WINDOWS/TRIM

Kind of windows? Double hung☐ casement☐
jalousie☐ stationary☐ gliding☐
aluminum☒ wood☐
other_____
combination of types☐
Condition of frames/sashes/glazing/caulking?
good☒ fair☐ poor☐
Do windows have screens? yes☒ no☐
Any screens missing/damaged? yes☒ no☐
Comments:

SUMP PUMP N/A

Is there a sump pump?
yes☐ no☐
Condition of pump? good☐ fair☐ poor☐
Work properly? yes☐ no☐ unable to test☐
Any evidence of water problems? yes☐ no☐
Comments:

AWNINGS N/A

Are there awning? yes☐ no☐
aluminum☐ fiberglass☐ canvas☐
wood frame☐ other
Condition good☐ fair☐ poor☐
Comments:

SIDING/TRIM/MOLDINGS

Exterior walls are? Wood ☐ brick veneer☐
stone☐ stucco☒ masonite☐
steel sliding☐ aluminum☐ vinyl☐
other
Is siding trim/firm? yes☒ no☐
Any need replace? ☐ repair☐
Stucco cracking? minor☒ moderate☐ severe☐
Comments:

EXTERIOR DOORS

Type of doors? Solid Wood☐ steel☐
wood/glass☐ wood hollow core☒ other
fit/work properly? yes☒ no☐
Have thresholds? yes☒ no☐
Have? Security locks☐ deadbolts☒
standard keylock☒
Weather-stripped? yes☐ no☒
Condition? good☐ fair☒ poor☐
Are there door bells ? yes☐ no☒
Do they work? yes☐ no☐
Security and Intercom systems are not inspected
Comments: **1) PAINT IS PEELING AT ENTRY DOOR TO MAIN OFFICE. (REFER TO PAINTER)**

PATIO/SLIDING DOORS N/A

Is there a sliding door? yes☐ no☐
Fit/work properly? yes☐ no☐
Any evidence of air/water leaks? yes☐ no☐
Does it have screen? yes☐ no☐
Safety emblems in glass? yes☐ no☐
Condition of door? good☐ fair☐ poor☐
Comments

GARAGE DOORS

Is there a garage door? yes☒ no☐
Fit/work properly? yes☒ no☐
Safety springs? yes☐ no☒
Condition of door? good☒ fair☐ poor☐
Is there automatic door opener? yes☐ no☒
Work properly? yes☐ no☐
Passage door to house? yes☐ no☐
Fire rated? yes☐ no☐ self closer yes☐ no☐
Comments:

FOUNDATION/CRAWL SPACE

Type of foundation? raised☐ slab☒
poured concrete☒ block☐ brick☐
other
Are there piers? yes☐ no☐
Is the foundation bolted? yes☒ no☐
Any evidence of settling or cracking? yes☒ no☐
minor☐ moderate☒ severe☐
Recommend further analysis from engineer☐
Proper ventilation? yes☐ no☐
Are girders / floor joists sagging? yes☐ no☐
Access? good☐ fair☐ poor☐
Foundation vents missing / damaged? yes☐ no☐
Condition of foundation / crawl space?
good☐ fair☐ poor☐
Comments:

STEPS N/A

Are there exterior steps? yes☐ no☐
Are they? wood☐ concrete☐ other
Are support/posts / pillars / railings firm?
yes☐ no☐
Condition of steps? good☐ fair☐ poor☐
Comments:

PATIO N/A

Is there a patio? yes☐ no☐
concrete☐ brick☐ other
Any evidence of cracking? yes☐ no☐
minor☐ moderate☐ severe☐
Condition of patio? good☐ fair☐ poor☐
Comments:

DECKS/BALCONY N/A

Is there a deck / balcony? yes☐ no☐
Type? wood☐ concrete☐ water proof covering☐
other
Cracked or deteriorated water proof covering?
yes☐ no☐
Support post / railings firm? yes☐ no☐
Condition of deck / balcony?
good☐ fair☐ poor☐
Comments:

EXTERIOR FAUCETS

Are there exterior faucets? yes☒ no☐
Any leaks / corrosion? yes☐ no☒
Missing or damaged faucet handles? yes☐ no☒
Comments:

EXTERIOR ELECTRICAL

Exterior electrical outlets / switches? yes☒ no☐
Are they in weathertight boxes? yes☐ no☒
Do they work properly? yes☐ no☒
Comments:

EXTERIOR LIGHTS

Attached exterior lights? yes☒ no☐
Do they work? yes☒ no☐ unable to tell☐
Comments:

SPRINKLER SYSTEM N/A

Is there a sprinkler system? yes☐ no☐
Are they? Manual☐ Automatic☐
Any leaks? yes☐ no☐
Location of leaking?

Shut off / draining valves? yes☒ no☐
Timer systems are not inspected or tested
Individual sprinkler heads are not inspected
Comments:

POOL – SPA N/A

Is there a pool? ☐ spa☐
WE DO NOT INSPECT POOLS OR SPAS
Is pool/spa enclosed by a fence? yes☐ no☐
Self closing gates? yes☐ no☐
Pool deck? concrete☐ brick☐ wood☐
other
Pool deck cracks / separation at coping?
minor☐ moderate☐ severe☐
Comments:

RETAINING WALLS N/A

Any retaining walls? yes☐ no☐
Type? block☐ rock☐ railroad ties☐
other_____
Any weep holes? yes☐ no☐
Condition of walls? good☐ fair☐ poor☐
Comments:_____

FENCES

Any fences? yes☒ no☐
Type of fence? block☐ wood☐ wrought iron☒
chain link☐ stucco☐ other_____
Any loose/rotted posts? yes☐ no☒
Any broken/missing boards? yes☐ no☐
Any loose/missing blocks? yes☐ no☐
Do posts have footings? yes☒ no☐
Does it have a gate? yes☒ no☐
Does gate lock? yes☒ no☐
Condition of fence? good☒ fair☐ poor☐
Comments:_____

SIDEWALKS

Are there sidewalks? yes☒ no☐
Any evidence of cracking? yes☒ no☐
minor☒ moderate☐ severe☐
Condition of sidewalks? good☒ fair☐ poor☐
Comments:_____

DRIVEWAYS

Is there a driveway? yes☒ no☐
Does it slope away from the property? yes☒ no☐
Type of driveway? asphalt☐ concrete☒
gravel☐ other_____
Any evidence of cracking? yes☒ no☐
minor☐ moderate☒ severe☐
Condition of driveway? good☐ fair☒ poor☐
Comments:_____

GARAGE N/A

Attached☐ Detached☐
Condition of ceiling/walls? good☐ fair☐ poor☐
Any visible leaks? yes☐ no☐
Condition of floor? good☐ fair☐ poor☐
Electrical outlets functional? yes☐ no☐
Condition of windows? good☐ fair☐ poor☐
Comments:_____

ATTIC AREA N/A

Accessible? yes☐ no☐ Limited access☐
Any visible leaks? yes☐ no☐
Any sagging rafters? yes☐ no☐
Exhaust fans vented to attic? yes☐ no☐
Visible electrical wire splices exposed? yes☐ no☐
Obstruction of roof or soffit vents? yes☐ no☐
Insulated? yes☒ no☐ Attic ventilated? yes☐ no☐
Comments:_____

LAUNDRY AREA N/A

Location:_____
Condition of plumbing fixtures?
good☐ fair☐ poor☐
Any leaks? yes☐ no☐
Functional exhaust fan? yes☐ no☐
Electrical outlets accessible? yes☐ no☐
Functional? yes☐ no☐
Dryer Connection: Gas☐ Electrical☐
Dryer vented to exterior? yes☐ no☐
Comments:_____

ENTRYWAY/HALLWAY/STAIRS N/A

Smoke detectors? yes☐ no☐
Battery☐ Electric☐
Functional? yes☐ no☐
Comments:_____

LUNCH AREA

Condition ceiling/walls? good☒ fair☐ poor☐
Any cracks or leaks? yes☐ no☒
Floor covering? carpet☐ linoleum☐ tile☒
other_____
Condition? good☒ fair☐ poor☐
Condition of windows? good☒ fair☐ poor☐
Condition of doors? good☒ fair☐ poor☐
Condition of plumbing fixtures?
good☒ fair☐ poor☐
Cut off valves? yes☒ no☐
Any leaks? yes☐ no☒
Drain properly? yes☒ no☐
Condition of cabinets? good☒ fair☐ poor☐
Condition of countertops? good☒ fair☐ poor☐
Electrical outlets functional? yes☒ no☐
220 outlet for stove? yes☐ no☐
Gas line shut off for stove/cooktop? yes☐ no☐
Functional exhaust fan? yes☐ no☒
Exhaust vent? yes☐ no☒
Built in appliances functional? yes☐ no☐ N/A
Room heated? yes☐ no☐ N/A
Comments:_____

WORKING AREA FOR AUTO BODY

Condition ceiling / walls? good☒ fair☐ poor☐
Any cracks or leaks? yes☒ no☐
Floor covering? carpet☐ linoleum☐ tile☐
other CONCRETE
Condition? good☐ fair☒ poor☐
Condition of doors? good☒ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ N/A
Any fireplace? yes☐ no☐
Functional damper? yes☐ no☐
Functional gas starter? yes☐ no☐
Evidence of smoke on outside of fireplace?
yes☐ no☐
Electrical outlets functional? yes☒ no☐
Room heated? yes☐ no☒
Comments: 1) WATER STAINS OBSERVED AT ROOF JOIST. 2) COMMON CRACKS OBSERVED IN SLAB.

MAIN OFFICE

Condition ceiling / walls? good☒ fair☐ poor☐
Any cracks or leaks? yes☒ no☐
Floor Covering? carpet☐ linoleum☐ tile☒
other
Condition? good☐ fair☒ poor☐
Condition of doors? good☒ fair☐ poor☐
Condition of windows? good☒ fair☐ poor☐
Any fireplace? yes☐ no☒
Functional damper? yes☐ no☐
Functional gas starter? yes☐ no☐
Evidence of smoke on outside of fireplace?
yes☐ no☐
Electrical outlets functional? yes☒ no☐
Room heated? yes☐ no☒
Comments: 1) WATER STAINS OBSERVED AT CEILING IN SEVERAL PLACES. ROOF IS LEAKING. (REFER TO ROOFING CONTRACTOR) 2) SEVERAL CRACKED FLOOR TILES OBSERVED.

SHOP AREA N/A

Condition of ceiling / walls? good☐ fair☐ poor☐ Any cracks or leaks? yes☐ no☐
Floor covering? carpet☐ linoleum☐ tile☐ other
Condition? good☐ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ Condition of doors? good☐ fair☐ poor☐
Electrical outlets functional? yes☐ no☐ Room heated? yes☐ no☐
Comments:

BATHROOM ½ AT REAR OF SHOP AREA

No permit

Condition of ceiling / walls? good☒ fair☐ poor☐ Any cracks or leaks? yes☐ no☒
Condition of the tile / grout / caulking? good☐ fair☒ poor☐ Tub/shower enclosure?good☐ fair☐ poor☐N/A
Floor covering? carpet☐ linoleum☐ tile☒ other_____ Condition? good☐ fair☒ poor☐
Condition of windows? good☐ fair☐ poor☐ N/A Condition of doors? good☒ fair☐ poor☐
Functional exhaust fan? yes☐ no☒ Condition of plumbing fixtures? good☒ fair☐ poor☐
Shut off valves? yes☒ no☐ Any leaks? yes☐ no☒ Drain properly? yes☒ no☐
Condition of cabinets / vanity? good☒ fair☐ poor☐ Electrical outlets functional? yes☒ no☐
Room heated? yes☐ no☒ Source_____
Comments:_____

BATHROOM ½ NEXT TO OFFICE

Condition of ceiling / walls? good☒ fair☐ poor☐ Any cracks or leaks? yes☐ no☒
Condition of: tile / grout / caulking? good☒ fair☐ poor☐ Tub / shower enclosure? good☐ fair☐ poor☐N/A
Floor covering? carpet☐ linoleum☐ tile☒ other_____ Condition? good☒ fair☐ poor☐
Condition of windows? good☒ fair☐ poor☐ Condition of doors? good☒ fair☐ poor☐
Functional Exhaust fan? yes☐ no☒ Condition of plumbing fixtures? good☒ fair☐ poor☐
Shut off valves? yes☒ no☐ Any leaks? yes☐ no☒ Drain properly? yes☒ no☐
Condition of cabinets / vanity? good☒ fair☐ poor☐ Electrical outlets functional? yes☐ no☐
Room heated? yes☐ no☒ Source_____
Comments: **1) PANELING BELOW SINK NEEDS REPAIRING. 2) CEILING NEEDS A MINOR PATCH.**

BATHROOM 3/4 Where's this bathroom?

Condition of ceiling / walls? good☒ fair☐ poor☐ Any cracks or leaks? yes☐ no☒
Condition of: Tile / grout / caulking? good☒ fair☐ poor Tub / shower enclosure? good☒ fair☐ poor☐
Floor covering? carpet☐ linoleum☐ tile☒ other_____ Condition? good☒ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ N/A Condition of doors? good☒ fair☐ poor☐
Functional exhaust fan? yes☐ no☒ Condition of plumbing fixtures? good☒ fair☐ poor☐
Shut off valves? yes☒ no☐ Any leaks? yes☐ no☒ Drain properly? yes☒ no☐
Condition of cabinets / vanity? good☒ fair☐ poor☐ Electrical outlets functional? yes☒ no☐
Room heated? yes☐ no☒ Source_____
Comments:_____

ELECTRICAL : Low voltage systems are not inspected

Service location? N. WALL service size? 100 Amps. Main disconnect? yes☒ no☐
# of circuits? ____ Breakers☒ Fuses☐ Service Grounded? yes☒ no☐
Comments: _____

HEATING: Inspection of heater boxes / heat exchangers can only be done by dismantling the heater. The inspection does not include dismantling. Radiant heat and components are not visible and not inspected.

Type? Forced air☐ wall heater☐ gravity☐ radiant☐ electric☐ Gas service on? yes☐ no☐
# of BTUs _____ Thermostat functional? yes☐ no☐ Air filter clean? yes☐ no☐
Accessible gas shut off valve? yes☐ no☐ Adequate ventilation? yes☐ no☐
Comments: _____

PLUMBING: Septic Tanks are not visible and not inspected (Is there Septic System)?

Public☒ Private☐ Service on? yes☐ no☐ Main water shut off? yes ☒ no☐ AT METER
Main water supply line? copper☐ galvanized☐ other _____
Water supply lines? cooper☒ galvanized☐ other _____ Any leaks or corrosion? yes☐ no☒
Drain waste lines? Cast iron☒ galvanized☐ ABS (plastic)☒ Any leaks or corrosion? yes☐ no☒
Recommend monitoring lines for maintenance. yes☒ no☐
Comments: _____

WATER HEATER: Solar Systems are not inspected

Type? gas☐ electric☒ Capacity? 20 gallons. Approx. age: 2 YRS. Relief valve? yes☐ no☒
Drain line? yes☐ no☒ Proper ventilation? yes☒ no☐ Seismic strap? yes☐ no☒
Evidence of rust / corrosion? yes☐ no☒ Location?
Comments: 1) DRYWALL IN WATER HEATER ROOM NEEDS A PATCH.

CENTRAL AIR CONDITIONING N/A
Type? gas☐ electric☐ Condenser coil clean? yes☐ no☐ Power supply disconnect? yes☐ no☐
Condensate drain line? yes☐ no☐ Supply lines insulated? yes☐ no☐
Comments: _____

Recommend gas company test all appliances if gas was off at inspection

STORAGE ROOM #1: WEST

Condition of ceiling / walls? good☒ fair☐ poor☐ Any cracks or leaks? yes☐ no☒
Floor covering? carpet☐ linoleum☐ tile☒ other _____
Condition? good☒ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ N/A Condition of doors? good☒ fair☐ poor☐
Electrical outlets functional? yes☒ no☐ Room heated? yes☐ no☒ Smoke detectors? yes☐ no☒
Comments: _____

STORAGE ROOM #2: EAST

Condition of ceiling / walls? good☒ fair☐ poor☐ Any cracks or leaks? yes☐ no☒
Floor covering? carpet☐ linoleum☐ tile☐ other **CONCRETE**
Condition? good☐ fair☒ poor☐
Condition of windows? good☐ fair☐ poor☐ N/A Condition of doors? good☐ fair☐ poor☐
Electrical outlets functional? yes☒ no☐ Room heated? yes☐ no☒ Smoke detectors? yes☐ no☒
Comments: **1) MODERATE CRACKS OBSERVED IN SLAB.**

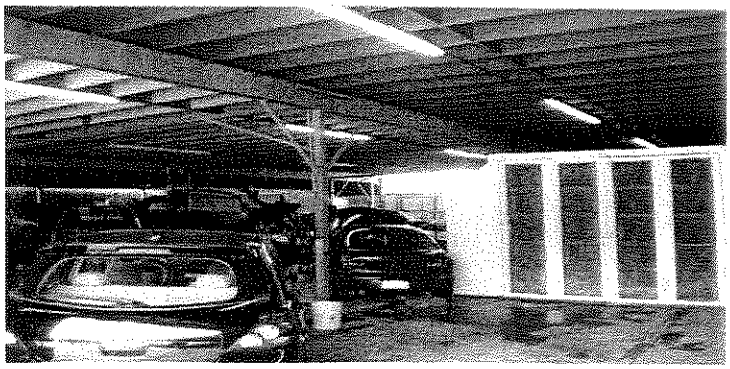
STORAGE ROOM #3:

Condition of ceiling / walls? good☐ fair☐ poor☐ Any cracks or leaks? yes☐ no☐
Floor covering? carpet☐ linoleum☐ tile☐ other _____
Condition? good☐ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ Condition of doors? good☐ fair☐ poor☐
Electrical outlets functional? yes☐ no☐ Room heated? yes☐ no☐ Smoke detectors? yes☐ no☐
Comments: _____

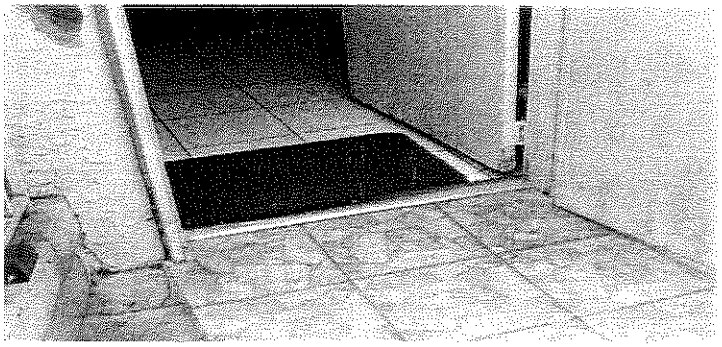
STORAGE ROOM #4:

Condition of ceiling / walls? good☐ fair☐ poor☐ Any cracks or leaks? yes☐ no☐
Floor covering? carpet☐ linoleum☐ tile☐ other _____
Condition? good☐ fair☐ poor☐
Condition of windows? good☐ fair☐ poor☐ Condition of doors? good☐ fair☐ poor☐
Electrical outlets functional? yes☐ no☐ Room heated? yes☐ no☐ Smoke detectors? yes☐ no☐
Comments: _____

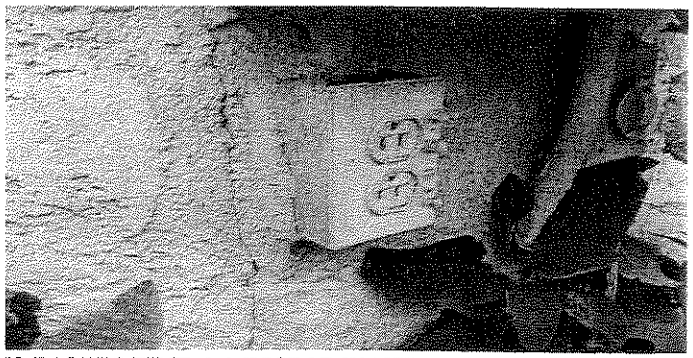
ROOF LEAKS IN SEVERAL PLACES (REFER TO ROOFING CONTRACTOR)



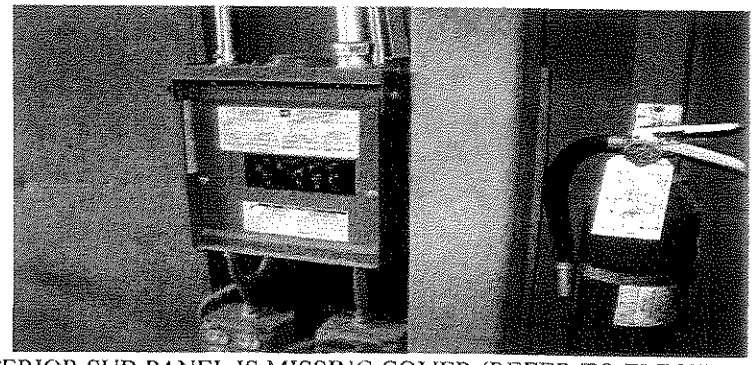
AUTO BODY SHOP AREA



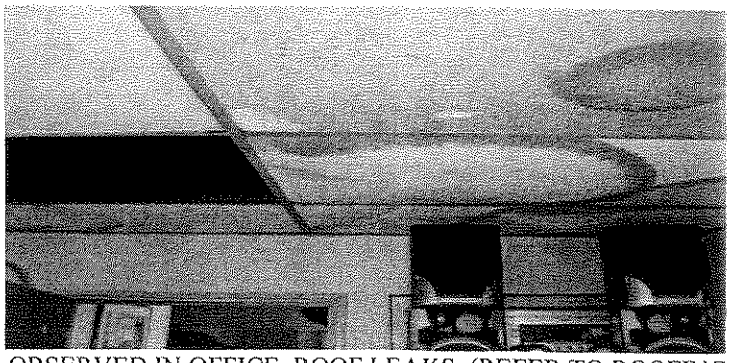
PAINT IS PEELING AT ENTRY OFFICE DOOR (REFER TO PAINTER)



EXTERIOR OUTLET IS INOPERTIVE & MISSING WATERTIGHT COVER (REFER TO ELECTRICIAN)

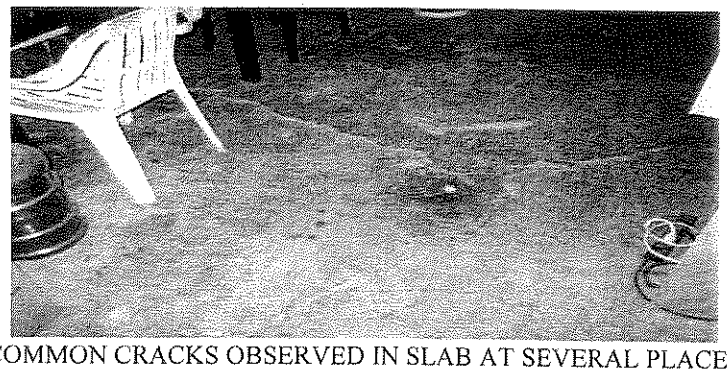


INTERIOR SUB PANEL IS MISSING COVER (REFER TO ELECTRICIAN)



WATER STAINS OBSERVED IN OFFICE. ROOF LEAKS. (REFER TO ROOFING CONTRACTOR)

MOLDING MISSING AT DOOR JAMB IN LUNCH AREA (REFER TO CARPENTER)



COMMON CRACKS OBSERVED IN SLAB AT SEVERAL PLACES

Sharon Song

From: Mariechelle Guinto [m_guinto@hotmail.com]
Sent: Thursday, November 17, 2011 12:58 PM
To: Sharon Song; John Signo
Subject: RE: Schedule meeting to discuss International Auto Body

Hi Sharon,
Per our conversation I was not aware that the purpose of our first meeting is to plan and agree on the performance standards. As I explained to you I need time to get a cost estimate for most if not all of the jobs before I can agree with the plan. This is to ensure that I can deliver on time. With that said per your request this is an email informing you that I would like to move our meeting to Nov 30th 9am. Thank you.

Mariechelle

Subject: RE: Schedule meeting to discuss International Auto Body
Date: Tue, 15 Nov 2011 22:46:28 -0800
From: ssong@carson.ca.us
To: m_guinto@hotmail.com

Hi Mariechelle,

If you've already vacated the residential use, I can schedule a site inspection before our meeting. Let me when you'll be available for the site inspection.

Thanks,

Sharon

From: Mariechelle Guinto [mailto:m_guinto@hotmail.com]
Sent: Tuesday, November 15, 2011 8:06 PM
To: Sharon Song
Subject: RE: Schedule meeting to discuss International Auto Body

Sounds good. Should I follow up on the Site Plan check or will you have the status at the meeting. See you then.

Subject: RE: Schedule meeting to discuss International Auto Body
Date: Tue, 15 Nov 2011 13:17:18 -0800
From: ssong@carson.ca.us
To: m_guinto@hotmail.com
CC: Jtupuola@carson.ca.us

No problem. How's next Tuesday (11/22) at 4pm?

Thanks,

Sharon

From: Mariechelle Guinto [mailto:m_guinto@hotmail.com]
Sent: Tuesday, November 15, 2011 1:16 PM
To: Sharon Song
Subject: RE: Schedule meeting to discuss International Auto Body

EXHIBIT NO. 6 -
EXHIBIT NO. 6 -

42

Sorry I misunderstood I thought 12/13 was our first meeting. We can meet this Thursday anytime before noon or next Tuesday late in the afternoon?

Subject: RE: Schedule meeting to discuss International Auto Body
Date: Tue, 15 Nov 2011 07:34:27 -0800
From: ssong@carson.ca.us
To: m_guinto@hotmail.com

Hi Mariechelle,

The public hearing will be scheduled for December 13th at 6:30 p.m. However we'll need to meet about two weeks before then to go over the performance schedule.

When will you be available from now until December 1st?

Thanks,

Sharon

From: Mariechelle Guinto [mailto:m_guinto@hotmail.com]
Sent: Monday, November 14, 2011 11:20 AM
To: Sharon Song
Cc: Janette Tupuola; John Signo
Subject: RE: Schedule meeting to discuss International Auto Body

Hi Sharon,
Dec 13th should be fine prefferrably in the morning or late in the afternoon. Should the site plan check be completed before then? Thanks.

Mariechelle

Subject: Schedule meeting to discuss International Auto Body
Date: Thu, 10 Nov 2011 10:01:32 -0800
From: ssong@carson.ca.us
To: m_guinto@hotmail.com
CC: Jtupuola@carson.ca.us; JSigno@carson.ca.us

Hi Mariechelle,

Since you stated you won't be available for the next week or two, we'd like to schedule the meeting with Planning Commission for the 1st meeting in December on the 13th.

We need to set up a meeting to discuss all the violations on site and agree on a timeline that is appropriate. I'd like to have code enforcement also sit in on the meeting so code violations will also be addressed.

Please let me know when you will be available. Since we want to schedule something quickly I'll try and accommodate your schedule as much as possible.

Thanks,

Sharon Song
Associate Planner
City of Carson
701 East Carson Street
Carson, CA 90745

Sharon Song

From: Mariechelle Guinto [m_guinto@hotmail.com]
Sent: Sunday, November 20, 2011 10:09 PM
To: Janette Tupuola; Pat Brown; Sharon Song; John Signo
Subject: 21012 Main St. Property

Hi Jan,
I am writing in response to the letter I received from the city prosecutor. The letter states that I will be charged a misdemeanor if I do not comply to the violations in the time stated. We had a hearing on Nov 8th and the planning commission has given me 12 months to complete all outstanding violations. I am working with Sharon Song to draft a performance standards plan to ensure that the work is progressing. In addition, I turned in the Site Plan on Oct 30th and is in the process for review. It is my understanding that I am not able to get a building permit until the Site Plan is approved.

Can you please advise on this matter? Am I following the timeline stated in the letter or am I drafting a performance standards plan with Sharon Song based on the Planning Commission's decision from the Nov 8th hearing.

Also can you please update my mailing address to the following which I provided in our previous meeting in July.
25228 Oak St. Lomita, Ca 90717

Thank you,
Mariechelle
310.749.0599

Sharon Song

From: Sharon Song
Sent: Thursday, December 08, 2011 4:06 PM
To: 'Mariechelle Guinto'
Cc: John Signo; Janette Tupuola
Subject: RE: Conditions Of Approval

Hi Mariechelle,

The format for the hearing will be similar to last time. I'll have a presentation and state what you've shared with me, that you cannot provide the required improvements within the 12 months due to financial hardships, etc. Since you can't meet all requirements within the 12 months, we'll have to see how the Planning Commission votes. I've presented them with two options in the staff report, one to approve and the other to deny. They can always modify the permit as well, such as offering you additional time, etc.

After my presentation, they'll ask you to come up. At that time, you can share anything you want and state your requests. If you have any specific requests, you can share them with me and I'll include them in my presentation.

Let me know what you'd like to do.

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

From: Mariechelle Guinto [mailto:m_guinto@hotmail.com]
Sent: Thursday, December 08, 2011 3:52 PM
To: Sharon Song
Cc: John Signo; Janette Tupuola
Subject: RE: Conditions Of Approval

Hi Sharon,
Sorry I didn't get your vmail. I just got a new phone and have not set up the vmail. Noted on all the items below. In terms of the Property Inspection Report the only thing I saw that was critical is the exterior electrical. Everything else is minor but please let me know if there is something required that I missed. With that said I cannot address the Exterior Electrical at this time. As I do not know exactly what that work entails. The estimates are coming back at $43-$45K not including permits, city fees and engineer/architect fees. I am being realistic to what I can complete. Unfortunately I do not have the resources to comply with everything on the list. However I feel like I am addressing the most important violations.

Can you tell me how the hearing will play out? Are we going to present each item on the list and discuss whether or not I can comply? Or Will you present your recommendations separately and then I will present after you. Thanks.

Mariechelle

Subject: RE: Conditions Of Approval
Date: Thu, 8 Dec 2011 13:47:20 -0800
From: ssong@carson.ca.us
To: m_guinto@hotmail.com
CC: JSigno@carson.ca.us; Jtupuola@carson.ca.us

45

Hi Mariechelle,

Thanks for your email. I left you a message this morning asking if you still didn't want to address the property inspection report and roof permit within the 12 months. Can you clarify for me if that'll still be your position?

Attached is the draft Conditions of Approval (COA). The COA is not final until the Planning Commission approves it. They have the option to modify/change so we refer to it as a draft at this point.

I modified No. 34 to state:

> Within 12 months from the date of CUP approval, the owner/applicant must complete any necessary façade improvements, such as installing gates, fences, repairing/painting areas that were affected by construction.

Hopefully it's clear that the intent of the condition is to make sure any construction impacts are adequately addressed. Nos. 13, 15, and 17 are standard conditions and required for all auto repair facilities. If it's not applicable to Luis then there shouldn't be a concern. Once the CUP is granted it is possible that the business can change hands to another Auto Repair facility that uses grease, car battery, etc. therefore we include these conditions to cover all auto repair activities. Those conditions are also best management practices and I don't feel comfortable removing them without just cause. If you want, you can request to the Planning Commission to remove those conditions and state the reason for your request.

Did you get your construction estimates? If you want, we can discuss them and make any last minute changes, if reasonable.

Let me know if you have any additional questions.

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

From: Mariechelle Guinto [mailto:m_guinto@hotmail.com]
Sent: Thursday, December 08, 2011 12:12 PM
To: Sharon Song; John Signo; Janette Tupuola
Subject: Conditions Of Approval

Hi Sharon,
Can you forward the final list of Conditions Of Approval before the hearing? Also as I have said before Pat Brown will occasionally be consulting on this case. I wanted to give you a heads up that he will be attending the hearing on the 13th. I have left a couple of message to Patricia Elkins to follow up on the parking area issue but I have not heard back. Will you be able to revise a couple of items on the original list forwarded me. Thanks.

13. Remove oil, grease, car battery acid, cooloant and gasoline. Luis does not do any body work so these items are not applicable
15. Remove. Same as above
17. Remove completely. Same as above
34. Please list specific areas that need facade improvements

Performance Standards Schedule
• Request to extend 60 days to remove/modify full bath to 1/2 and remove unpermitted bathroom in rear

Regards,