



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 8, 2016

SUBJECT Conditional Use Permit No. 996-16

APPLICANT: FN Property Investments
1730 Sherbourne Dr.
Los Angeles, California 90035

PROPERTY OWNER: Same

REQUEST: Construction of a new electronic message center sign for
the approved Bellagio car wash

PROPERTIES INVOLVED: 22303 Avalon Boulevard

COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Diaz			Mitoma
		Vice-Chair Madrigal			Pimentel
		Andrews			Post
		Fe'esago, Jr.			Thomas
		Guidry			

Item No. 9A

I. Introduction

Property Owner and Applicant:
FN Property Investments
1730 Sherbourne Dr.
Los Angeles, California 90035

Project Address:
22303 Avalon Boulevard, southwest corner of Avalon Boulevard and 223rd Street.

Project Description:

The applicant is proposing a two sided electronic message center sign with LED technology. The sign will be a monument with a height of 10 feet. This 24.6-square-foot sign will be located at the northeast corner of the property. The applicant will either retrofit the existing sign or build a brand new sign.

The applicant has indicated that the proposed sign will display the name of business, hours of operation, services offered, time and outside temperature, prices, specials, holiday greetings and information pertaining to the business and services.

Current Improvements:

The former site of the Teriyaki Factory includes a vacant building and an existing monument sign.

II. Project Site and Surrounding Land Uses

The project site is located at the south-west corner of Avalon Boulevard and East 223rd Street.

Site Information	
General Plan Land Use	Regional Commercial
Zone District	CN-D (Commercial, Neighborhood, Design Overlay)
Project FAR	0.15
Site Size	0.77 acres
Present Use and Development	Vacant building
Surrounding Uses/Zoning	North: Residential/commercial use zoned CG-MUR-D/CN-D South: Residential single family use zoned RS East: Commercial use zoned ML-D West: Residential single family use zoned RS
Access	Ingress/Egress: Avalon Boulevard and E. 223 rd Street



Previously Approved Discretionary Permits

On October 27, 2015, the Planning Commission approved Design Overlay Review No. 1580-15 and Conditional Use Permit No. 982-15 to permit the construction of a 5,153-square-foot drive-through carwash that includes a 480-square-foot office. This approval included a 10-foot high monument sign but did not include an electronic message center sign.

III. Analysis

The proposed sign complies with the provisions of CMC Section 9136.7. B. 8. for electronic message center signs:

1. Such sign shall be at least one hundred (100) feet from a residential zone.
The proposed sign is approximately: 150-feet to the residential zone to the south; 295-feet to the residential zone to the west and 243-feet to the residential condominiums to the northwest.
2. Such sign shall be at least five hundred (500) feet from any other electronic message center sign.
There are no electronic message center signs within five hundred (500) feet of the proposed project site.
3. Such sign shall be affixed to a pole and subject to the pole sign limitations of the CMC.
The proposed sign is a 10-foot high monument sign; therefore, the height is below the maximum 30-foot high standard for pole signs.
4. A Conditional Use Permit (CUP) shall be required for all electronic message center signs in accordance with the provisions set forth in CMC 9172.21. Approval shall not be granted if the Commission finds that the proposed sign would interfere with the traffic signals, disrupts normal traffic flows or otherwise creates a safety hazard.
The applicant has filed a CUP for the proposed sign. The City's Traffic Engineer has reviewed the proposed sign and has concluded that the proposed sign will not interfere with the traffic signals, disrupt normal traffic flows or otherwise create a safety hazard.

Specifications

The proposed sign will operate with the same standards that were approved for previous automotive dealership LED electronic message center signs. The following standards have been included as conditions of approval:

1. No motion, flashing or animation;
2. Messages are to remain static for a minimum of 8 seconds prior to next message appearing (no blank in-between messages);
3. Message transition to be instant;
4. Automatic dimming and brightness control keyed to ambient light levels;

5. Brightness to be 3,500 candelas per square meter during daytime and 600 at night;
6. Hours of operation will be from 5:00 a.m. to midnight;
7. Brightness to be automatically dimmed at 10:30 p.m. each night below the 600 candelas per square meter to minimize any potential light glare impact to adjoining residential areas.
8. Display to go dark if a malfunction occurs.

Issues

The proposed sign is the first electronic message center sign approved by the City other than those approved for the auto dealerships along interstate 405. The City's zoning code allows these signs with approval of a CUP if the Commission makes the required findings included in the resolution. This approval may prompt other businesses to propose electronic message center signs.

IV. Environmental Review

Pursuant to 15301, Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines, the proposed project is deemed to be a minor alteration of an existing private structure involving negligible or no expansion of use beyond that existing at the time of the Lead agency's determination and is therefore, Categorical Exempt.

V. Public Notice

Public notice was posted to the project site on February 17, 2016. Notices were mailed to property owners and occupants within 500 feet by February 25, 2016. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VI. Recommendation

That the Planning Commission:

- **APPROVE** Categorical Exemption and Conditional Use Permit No. 996-16 subject to the conditions attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, APPROVING CONDITIONAL USE PERMIT NO. 996-16 CONSTRUCTION OF A NEW ELECTRONIC MESSAGE CENTER SIGN FOR THE APPROVED BELLAGIO CAR WASH LOCATED AT 22303 AVALON BOULEVARD

VII. Exhibits

1. Zoning Map
2. Proposed Resolution
3. Development Plans

Prepared by: Zak Gonzalez II, Associate Planner



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 16-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 996-16 FOR CONSTRUCTION OF A NEW ELECTRONIC
MESSAGE CENTER SIGN FOR THE APPROVED BELLAGIO
CAR WASH LOCATED AT 22303 AVALON BOULEVARD**

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

Section 1. An application was duly filed by the applicant and owner FN Property Investments with respect to real property located at 22303 Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 996-16 to construct a new electronic message center sign for the approved Bellagio car wash, in the CN-D (Commercial, Neighborhood-Design Overlay) zoning district.

A public hearing was duly held on March 8, 2016, at 6:30 P.M. at City Hall, Helen Kawagoe 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. The Planning Commission finds that:

- a) The proposed use is compatible with the General Plan land use designation for the property of General Commercial. The proposed use will be consistent with the surrounding commercial and residential uses. Thus, the proposed use is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The proposed project is compatible with the surrounding commercial and residential uses. The site is approximately 0.77 acres, and is located at a major.
- d) Findings can be made to support the proposed LED electronic message center sign with conditions of approval for the public's health and safety.
- e) The proposed CUP application for a new digital LED display pylon sign meet the goals and objectives of the General Plan and would be consistent with applicable zoning and design regulations. Therefore all of the required findings



pursuant to Conditional Use Permit Section 9172.21 (D) can be made in the affirmative.

Section 4. Pursuant to 15301, Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines, the proposed project is deemed to be a minor alteration of an existing private structure involving negligible or no expansion of use beyond that existing at the time of the Lead agency's determination and is therefore, Categorical Exempt. Furthermore, the project site is zoned CN-D (Commercial, Neighborhood-Design Overlay) and the land use designation under the General Plan is General Commercial. The proposed use is consistent with both the zoning and land use designation and the environmental impact report prepared for the General Plan anticipated the proposed use with no further adverse impacts being generated.

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 996-16 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

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

PASSED, APPROVED AND ADOPTED THIS 8TH DAY OF MARCH 2016

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF THE 3365.95 ACRE TRACT OF A LAND, ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON, BY DECREE OF PARTITION OF A PORTION OF RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CASE NO. 3284, SUPERIOR COURT OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 63 OF TRACT NO. 18004, AS SHOWN ON MAP RECORDED IN BOOK 537, PAGES 1 ET SEQ., OF MAPS, RECORDS OF SAID COUNTY; THENCE ALONG THE NORTHERLY LINES OF LOTS 63, 64 AND 65 OF SAID TRACT, SOUTH $89^{\circ} 49' 35''$ WEST 140 FEET; THENCE PARALLEL WITH THE CENTER LINE OF AVALON BOULEVARD, AS SHOWN ON SAID MAP, NORTH $0^{\circ} 08' 55''$ WEST 150 FEET TO THE SOUTHERLY LINE OF 223RD STREET, 83 FEET WIDE, AS SHOWN ON SAID MAP; THENCE ALONG SAID SOUTHERLY LINE, NORTH $89^{\circ} 49' 35''$ EAST 114.99 FEET TO THE BEGINNING OF A TANGENT CURVE THEREIN, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, 39.28 FEET TO THE WESTERLY LINE OF AVALON BOULEVARD, 90 FEET WIDE, AS SHOWN ON SAID MAP; THENCE ALONG SAID WESTERLY LINE, SOUTH $0^{\circ} 08' 55''$ EAST 124.99 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PORTION OF THE RANCHO SAN PEDRO (MISCELLANEOUS RECORDS BOOK 4, PAGE 348) IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 66 OF TRACT NO. 18004, AS SHOWN ON MAP RECORDED IN BOOK 537, PAGES 1 TO 3 INCLUSIVE, OF MAPS, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY LINES OF LOTS 66 AND 65 OF SAID TRACT, NORTH $89^{\circ} 49' 35''$ EAST 81.25 FEET; THENCE NORTH $0^{\circ} 08' 55''$, WEST 150.00 FEET TO THE SOUTHERLY LINE OF 223RD STREET (83.00 FEET WIDE); THENCE ALONG THE SOUTHERLY LINE SOUTH $89^{\circ} 49' 35''$, WEST 56.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° , A DISTANCE OF 39.27 FEET TO A POINT IN THE SOUTHERLY LINE OF MARINE AVENUE (60 FEET WIDE); THENCE ALONG SAID EASTERLY LINE SOUTH $0^{\circ} 10' 25''$, EAST 125.00 FEET TO THE POINT OF BEGINNING.

APN: 7333-023-021

7

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 996-16

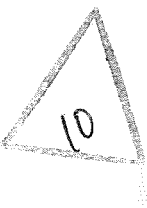
GENERAL CONDITIONS

1. If a building permit for Conditional Use Permit No. 996-16 is not issued within one year of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
8. **Precedence of Conditions.** If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
9. **City Approvals.** All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
10. **Deposit Account.** A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.

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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning, Conditional Use Permit No. 996-16. 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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.



AESTHETICS/ PRIVACY INTRUSION/SIGNAGE/SAFETY

11. The proposed digital LED display pylon sign shall operate as follows:
 - a. No motion, flashing or animation;
 - b. Message duration 8 seconds minimum;
 - c. Message transition shall have instant transition;
 - d. Require automatic brightness control keyed to ambient light levels;
 - e. Require display to go dark if there is a malfunction;
 - f. Hours of operation shall be from 5:00 a.m. to midnight with brightness automatically dimming at 10:30 p.m. daily below 600 candelas per square meter at night and
 - g. Brightness shall be a maximum of 3,500 candelas per square meter daytime and 600 at night.
12. **The applicant shall monitor the proposed digital LED display quarterly to ensure that the brightness of the sign does not exceed the standards set in Condition of Approval No. 11. The applicant shall correct any sign illumination deficiencies within a 24-hour period in coordination with the City's Traffic Engineer.**
13. Any graffiti found on new LED signage shall be removed within 48 hours.
14. The proposed project site shall be maintained free of debris and litter at all times.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

15. 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.



modernwash

410 W. 15th

LED ELECTRONIC MESSAGE SIGN
EACH SIDE OF MONUMENT SIGN
ACTUAL SIZE MAY VARY

Bellagio
CAR WASH

- LED ELECTRONIC MESSAGE SIGN NOTE:**
1. NO MOTION, FLASHING OR ANIMATION.
 2. MESSAGE ARE TO REMAIN STATIC FOR A MINIMUM OF 8 SECONDS PRIOR TO NEXT MESSAGE APPEARING (NO BLANK IN-BETWEEN MESSAGES).
 3. MESSAGE TRANSITION TO BE INSTANT.
 4. AUTOMATIC DIMMING AND BRIGHTNESS CONTROL KEYED TO AMBIENT LIGHT LEVELS.
 5. BRIGHTNESS TO BE 3,500 CANDELAS PER SQUARE METER DURING DAYTIME AND 600 AT NIGHT.
 6. HOURS OF OPERATION WILL BE FROM 5:00 A.M. TO MIDNIGHT.
 7. DISPLAY TO GO DARK IF A MALFUNCTION OCCURS.

EXHIBIT NO. 03

12.08.2015 modernwash copyright 2015

CARSON, CALIFORNIA | BELLAGIO IV CAR WASH

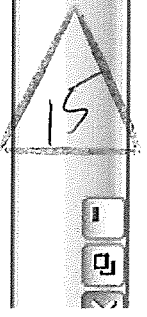
12

☰ 🔍 ➔





Total distance: 295.95 ft (90.20 m)



Navigation controls including a menu icon (three horizontal lines), a search icon (magnifying glass), and a location pin icon.



