



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: January 13, 2009

SUBJECT: Case No. 74-08: Appeal of Director's Determination of Termination Date of Existing Non-Conforming Use

APPLICANT: TST Metals, Inc.  
2032 E. 220<sup>th</sup> Street  
Carson, CA 90810

REPRESENTATIVE: Michael C. Baum, Esq.  
Resch, Polster, Alpert & Berger, LLP  
9200 Sunset Boulevard, 9<sup>th</sup> Floor  
Los Angeles, CA 90067

REQUEST: Appeal the Director's determination regarding the termination date for an existing, non-conforming scrap metal yard and processing facility.

PROPERTY INVOLVED: 2020-2032 E. 220<sup>th</sup> Street

### COMMISSION ACTION

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

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chair - Faletogo			Cannon
		Vice Chair - Saenz			Gordon
		Brimmer			Graber
		Brown			Verrett

***Item No. 10A***

**I. Introduction**

The applicant wishes to appeal the Director's determination of the termination date specified for TST Metals, an existing, non-conforming scrap metal yard and processing facility ("Facility"), currently operating on approximately 4.5 acres located at 2020-2032 E. 220<sup>th</sup> Street, on the south side of 220<sup>th</sup> Street, just west of Wilmington Avenue. The Director's determination was received by the applicant on October 8, 2008. An appeal request was submitted to the City Clerk on October 22, 2008, within 15 days of receiving the Director's determination, consistent with requirements found in Section 9173.4 of the Carson Municipal Code. A complete copy of the November 24, 2008 staff report with exhibits is included as Exhibit No. 2.

This item was brought before the Planning Commission at the November 24, 2008 public hearing. Because the lead counsel on this matter was out of the country, the applicant had requested a continuance to January 13, 2009. The Planning Commission unanimously approved a motion to continue the public hearing. On January 8, 2009, the applicant submitted additional information which staff has not yet reviewed. The applicant wishes to meet with staff to discuss this new information prior to the next Planning Commission public hearing. Therefore, they have requested another continuance. Staff recommends this item be continued until February 24, 2009, subject to the discretion of the Planning Commission.

**II. Recommendation**

That the Planning Commission:

- **OPEN** the Public Hearing;
- **TAKE** Public Testimony; and,
- **CONTINUE** the Public Hearing until February 24, 2009.

**III. Exhibits**

1. Request for Continuance, Dated January 7, 2009
2. Staff Report with Exhibits, Dated November 24, 2008

Prepared by: \_\_\_\_\_

Steven C. Newberg, AICP, Associate Planner

Reviewed and Approved by: \_\_\_\_\_

Sheri Repp, Planning Manager

sn: AofDD7408



**Steve Newberg**

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**From:** Michael Baum [mbaum@rpblaw.com]  
**Sent:** Wednesday, January 07, 2009 3:36 PM  
**To:** Steve Newberg  
**Subject:** Standard Metals/TST Property/ Case no. 74-08

Steve, per our discussion this is to request a continuance of the January 13 Planning Commission hearing on the above matter. The purpose of this postponement is so that you have the opportunity to review the expert report and supplemental materials we intend to present and also, if necessary, to allow you to reinspect the property. It would also give us the opportunity to obtain and review the materials sought in our public records request which you indicate were mailed before the Christmas holiday, but which I have not been able to locate. I think further discussion of this subject between our office and Planning Staff could be beneficial. It is my understanding that you will recommend a further postponement. Please confirm that this will be your recommendation.



*Michael C. Baum*  
**resch polster & berger llp**  
9200 Sunset Blvd., Ninth Floor  
Los Angeles, CA 90069  
phone: 310 277 8300  
fax: 310 552 3209

1/8/2009





# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** November 24, 2008

**SUBJECT:** Case No. 74-08: Appeal of Director's Determination of Termination Date of Existing Non-Conforming Use

**APPLICANT:** TST Metals, Inc.  
2032 E. 220<sup>th</sup> Street  
Carson, CA 90810

**REPRESENTATIVE:** Michael C. Baum, Esq.  
Resch, Polster, Alpert & Berger, LLP  
9200 Sunset Blvd., 9<sup>th</sup> Floor  
Los Angeles, CA 90067

**REQUEST:** An appeal of the Director's determination relating to the termination date for an existing, non-conforming scrap metal yard and processing facility.

**PROPERTY INVOLVED:** 2020-2032 E. 220<sup>th</sup> Street

### COMMISSION ACTION

Concurred with staff

Did not concur with staff

Other

Chairman Faletogo moved, seconded by Commissioner Cannon, to continue this matter to the January 13, 2009, Planning Commission meeting. Motion carried.

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
✓		Faletogo – Chairperson	✓		Saenz
✓		Cannon	✓		Verrett
✓		Graber			

*Item No. 10C*

4  
SN

I. **Introduction**

The applicant wishes to appeal the Director's determination of the termination date specified for TST Metals, an existing, non-conforming scrap metal yard and processing facility ("Facility"), currently operating on approximately 4.5 acres located at 2020-2032 E. 220<sup>th</sup> Street, on the south side of 220<sup>th</sup> Street, just west of Wilmington Avenue. The Director's determination was received by the applicant on October 8, 2008. An appeal request was submitted to the City Clerk on October 22, 2008, within 15 days of receiving the Director's determination, consistent with requirements found in Section 9173.4 of the Carson Municipal Code (Exhibit No. 1).

The applicant has also requested a continuance of this case until the January 13, 2009 Planning Commission public hearing, as lead counsel on this matter is currently out of the country (Exhibit No. 2).

II. **Background**

*Facility Description*

The facility occupies a 4.5 acre property and the use is classified as a scrap metal salvage yard and scrap metal processor. The facility is designed to provide for the collection, dismantling, sorting, packing and wholesale distribution of scrap metal. The scrap metal involved in this process is collected from various sources, including automobiles, demolition materials from buildings and other structures, packing materials and materials generated from the fabricating and disposal of durable metal goods, consumer products, and computer equipment. The materials collected from these sources is then sorted, sheared, baled, shredded, or otherwise packed in a manner, or processed into a product that meets the needs of the wholesale consumer market.

There are a multitude of structures on the subject site that facilitate the processes described above, including an office and administration building, machine and welding shop building, auto dismantling building, storage building and metal canopies used for storage, above-ground water holding tank, scale pit, and a processing pit for melting aluminum.

Based upon a field inspection of the property conducted by staff from the Planning and the Building and Safety Divisions on April 29, 2008, it appears as though most processing activities are conducted under-cover, whether within a canopy or fully enclosed building. Between the buildings and within open areas of the property, there is an abundance of stored materials in various stages of processing, from scrap piles to bales of end-product awaiting distribution. The stacks of outdoor storage are visible from the freeway adjacent to the south side of the property, and from the private road adjacent to the east side of the property.

Trucks enter and exit the facility from 220<sup>th</sup> Street. There is a dock-high loading platform facing 220<sup>th</sup> Street with one large roll-up door and approximately 5 truck (rear) loading spaces. Trucks accessing these spaces have to back up from 220<sup>th</sup> Street. Employees and visitors can park along the northeast side of the property, or adjacent to the office and administration building on the south side of the property.



The parking lot area on the south side of the subject property is accessed by a private street stemming southbound from 220<sup>th</sup> Street.

Facility Location and Surrounding Uses

The subject property is located at 2022-2032 E. 220<sup>th</sup> Street, west of Wilmington Avenue and on the south side of 220<sup>th</sup> Street (Exhibit 3). The property is designated in the General Plan Land Use Element as Light Industrial, zoned ML (Manufacturing, Light), and located within the Merged and Amended Redevelopment Project Area.

The surrounding uses are listed as follows:

North: Vacant light industrial property, (formerly Alpert & Alpert Iron & Metal Company).

South: 405 Freeway.

East: Light industrial and warehouse uses.

West: Light industrial and office uses.

The property is located within the Merged and Amended Redevelopment Project Area. The goals and objectives for the project area include the elimination of nonconforming and/or incompatible uses, blighting and blighted conditions, and encouraging the construction of new, high quality, light industrial office and business parks. In a 1989 redevelopment implementation report, the applicant's heavy industrial facility is identified, along with other nearby heavy industrial uses, as incompatible with these goals and objectives.

**III. Analysis**

In 1990, the city amended the Land Use Element of the General Plan which changed the subject property's designation from Heavy Industrial to Light Industrial (Land Use Element Amendment No. 44-90). Other properties in the general area were similarly affected by this change. To be consistent with the new General Plan land use designation, zoning for the property was changed from MH (Manufacturing, Heavy) to ML (Manufacturing, Light) (Zone Change Case No. 111-90). These changes were recommended actions in a 1989 Redevelopment Implementation Strategies, Phase II report that was prepared to evaluate the Amended Redevelopment Project No. 1 and Redevelopment Project Area No. 3 – both of which were created in July, 1984. The purpose of the land use designation and zone change was to be consistent with stated redevelopment goals for these Project Areas, including protecting and promoting light industrial and office park development opportunities and eliminating existing heavy industrial uses deemed incompatible with the predominately light industrial and office character of the area.

In 1977, the city adopted the Comprehensive Zoning Ordinance (Carson Municipal Code), which included Section 9141.1, Permitted Uses, citing a conditional use requirement for salvage and scrap metal yards in the MH zone, and a prohibition of salvage and scrap metal yards in the ML zone. Special Use Permit (SUP) No. 52-71 was issued to the Torrance Iron and Metal Company (TIMCO) to operate and maintain a scrap metal and salvage yard in 1971. Therefore, at the time of CMC



adoption in 1977, the scrap metal and salvage yard was considered a legal, conforming use. However, in 1990 the subject property zoning was changed from MH to ML, which caused the existing scrap metal yard and processing facility in use on the subject property to become legal, nonconforming and subject to the abatement and amortization period found in Section 9182.22 of the Carson Municipal Code. Pursuant to this section, any lawfully established use which becomes a nonconforming use, including any building, structures, or facilities designed or intended for such uses which are nonconforming, shall be terminated and such buildings, structures, or facilities shall be removed or made conforming in all respects within the time period specified in Subsection A or B of this Section, whichever is applicable and results in the later termination date.

The applicant acknowledges the fact that the use is legal, nonconforming, but disputes the Director's determination of the applicable termination date prescribed pursuant to Section 9182.22. In their letter dated August 23, 2007 (Exhibit 4), the applicant identified a total of eight (8) buildings and other structures currently on the subject site, which they believe extend the business' amortization period beyond an expiration date determined by the Planning Division. The latest amortization date identified in this list is February 2, 2027. These dates were presumably based upon the applicant's interpretation of Section 9182.41(B), of the Carson Municipal Code (Exhibit 5).

Staff sent a response dated September 30, 2008 which included the Director's determination of January 1, 2011 as the latest possible amortization for the existing non-conforming use (Exhibit 6). This date is 20 years from the codification date of the zone change from MH (Manufacturing, Heavy) to ML (Manufacturing, Light) which caused the use to become non-conforming.

Staff recommends that the Planning Commission continue the case until the January 13, 2008 public hearing, consistent with the applicant's request. However, barring any new information lending support to the contrary, staff will recommend that the Planning Commission deny the appeal request and affirm the Director's determination of the January 1, 2011 amortization expiration date.

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

Pursuant to Section 15321(a)(2), of Article 19, of the California Environmental Quality Act (CEQA), this project has been deemed as an Enforcement Action by a Regulatory Agency and determined to be Categorically Exempt from further environmental review.

#### **V. Recommendation**

That the Planning Commission:

- **CONTINUE** the Public Hearing until January 13, 2009.

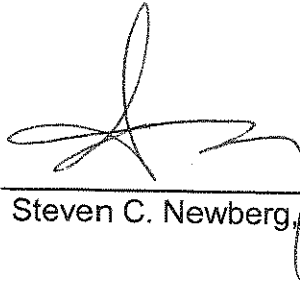
#### **VI. Exhibits**

1. Appeal of Director's Determination, Dated October 22, 2008.



2. Applicant's Request for Continuance, Dated November 7, 2008.
3. Land Use Map.
4. Letter Submitted by Applicant, Dated August 23, 2007
5. Carson Municipal Zoning Code Excerpt: Section 9182.22.
6. Director's Determination Letter, Dated September 30, 2008.

**Prepared by:**



\_\_\_\_\_  
Steven C. Newberg, AICP, Associate Planner

**Reviewed and Approved by:**



\_\_\_\_\_  
Sheri Repp, Planning Manager

sn: AofDD7408







# CITY OF CARSON Development Application

Development Services Group  
Planning Division  
701 East Carson Street  
Carson, CA 90745  
(310) 952-1761  
<http://www.ci.carson.ca.us>

## I. Property Information

Address and/or APN: 2020 and 2032 East 220th Street

Existing Use: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_

## II. Proposed Project

Describe Project and Potential Use (Attach additional sheets if necessary): This is an appeal of the staff decision reflected in the letter dated September 30, 2008 from Sheri Repp Loadsman, a copy of which is attached as Exhibit "A".

The basis of the Appeal is set forth in Exhibit "B".

Is the Project in a Redevelopment Project Area?  Yes  No If so, which? \_\_\_\_\_

## III. Applicant Information

Main Contact Person (Applicant/Representative): Michael C. Baum

Address: 9200 Sunset Boulevard, Ninth Floor

City/State/Zip Code: Los Angeles, California 90069

Phone Number: (Day) (310) 277-8300 (Mobile)

Fax Number: (310) 552-3209 E-Mail Address: mbaum@rpblaw.com

### City Staff Use Only

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Amount Paid: \_\_\_\_\_ Case Planner: \_\_\_\_\_

Case No(s): \_\_\_\_\_ Related Case No(s): \_\_\_\_\_

Counter Map:  Database:

<b>Property Owner:</b> TST Metals, Inc., c/o Resch Polster & Berger LLP	
Address: 9200 Sunset Boulevard, Ninth Floor	
City/State/Zip Code: Los Angeles, California 90069-3604	
Phone Number: (Day) 310/788-7520 (Mobile)	
Fax Number: 310/552-3209	E-Mail Address: mbaum@rpblaw.com
<b>Architect/Contractor:</b> N/A	
Address:	
City/State/Zip Code:	
Phone Number: (Day) (Mobile)	
Fax Number:	E-Mail Address:
<b>Engineer/Licensed Surveyor:</b> N/A	
Address:	
City/State/Zip Code:	
Phone Number: (Day) (Mobile)	
Fax Number:	E-Mail Address:

**IV. Type of Application**

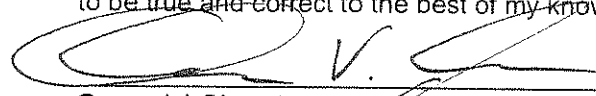
(Check all boxes that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Certificate of Compliance                 | <input type="checkbox"/> Interpretation               | <input type="checkbox"/> Specific Plan                       |
| <input type="checkbox"/> Conditional Use Permit*                   | <input type="checkbox"/> Landscape Permit (> 2500 SF) | <input type="checkbox"/> Tentative Tract/Parcel Map*         |
| <input type="checkbox"/> Conditional Use Permit for Shared Parking | <input type="checkbox"/> Lot Line Adjustment          | <input type="checkbox"/> Zone Change*                        |
| <input type="checkbox"/> Development Agreement                     | <input type="checkbox"/> Modification of Permit       | <input type="checkbox"/> Zoning Ordinance Amendment          |
| <input type="checkbox"/> Environmental Assessment                  | <input type="checkbox"/> Ordinance Amendment          | <input type="checkbox"/> Variance*                           |
| <input type="checkbox"/> EIR                                       | <input type="checkbox"/> Parcel Merger                | <input type="checkbox"/> Appeal of P.C. Decision             |
| <input type="checkbox"/> Extension of Nonconforming Privilege*     | <input type="checkbox"/> Relocation Impact Report     | <input checked="" type="checkbox"/> Appeal of Staff Decision |
| <input type="checkbox"/> Extension of Time                         | <input type="checkbox"/> Relocation Review            | <input type="checkbox"/> <b>Other:</b> _____                 |
| <input type="checkbox"/> General Plan Amendment                    | <input type="checkbox"/> Sign Program*                |  |
|  | <input type="checkbox"/> Site Plan and Design Review* |  |

\* Additional materials required

**V. Owner Signatures and Certification**

As the Property Owner, I grant my consent to have the Applicant, listed above, to take responsibility in processing the proposed project described above. This application and all the required materials are certified to be true and correct to the best of my knowledge and belief.

  
 Owner(s) Signature  
 Andrew V. Jablon, for TST, Inc.  
 Owner(s) (Please print)

10/22/08  
 Date



Exhibit "B"

TST, Inc. ("Owner"), the owner of 2020 and 2032 E. 220<sup>th</sup> Street, Carson, California 900745 (the "Property") appeals the staff decision regarding the non-conforming "allowable life" and amortization date of the existing use of the Property.

It remains the position of the Owner that each of the permitted structures at the Premises should each be classified with a 50 year amortization under Carson Municipal Code section 9182.22(b). Specifically, based on the building permits (copies of which are attached) and an inspection of the structures, Owner believes the proper amortization dates are as follows:

	<u>Final Inspection</u>	<u>Amortization Date</u>
1. Permit for shop (machine and welding)	02/01/1966	02/01/2016
2. Factory for auto dismantling	05/03/1972	05/03/2022
3. Building for storage of incombustible Materials	12/07/1973	12/07/2023
4. Administration offices	02/01/1966	12/01/2016
5. Tank for holding water	10/01/1976	10/01/2026
6. Processing pit for melting aluminum	02/03/1977	02/03/2027
7. Metal canopies	06/07/1974	06/07/2024
8. Fire separation block wall	01/23/1970	01/23/2020

Accordingly, Owner's position is that, pursuant to the Carson Municipal Code, the expiration date of the legal, non-conforming status for the use at the Property is no earlier than June 7, 2024.

Owner reserves the right to submit additional materials in support of its position at or in advance of the public hearing.



76A638A CEM 03 8-64 **APPLICATION FOR BUILDING PERMIT**

COUNTY OF LOS ANGELES  
 DEPARTMENT OF COUNTY ENGINEER  
 BUILDING AND SAFETY DIVISION  
 JOHN A. LAMBIE, COUNTY ENGINEER  
 COLEMAN W. JENKINS, SUP'T OF BUILDING

**FOR APPLICANT TO FILL IN**

BUILDING ADDRESS: 2032 E. 220th ST. LOMITA

LOT NO: 156-61 ATT. BLOCK: \_\_\_\_\_

TRACT: \_\_\_\_\_

SIZE OF LOT: \_\_\_\_\_ NO. OF BLDGS. NOW ON LOT: \_\_\_\_\_

USE OF EXISTING BLDG: \_\_\_\_\_

OWNER: SERVCO Co TEL NO. NE 62949

ADDRESS: 2450 CERROTES AVE

CITY: LONG BEACH, CAL. 681-8861

ARCHITECT ENGINEER: F. QUESADA TEL NO. NE 12927

ADDRESS: 3019 ROWENA AVE LA

CONTRACTOR: E.W. HANK TEL NO. 722-5471

ADDRESS: 219 So. HALDORNE

CITY: HALDORNE LIC CLASS: \_\_\_\_\_

**DESCRIPTION OF WORK**

NEW  ADD  ALTER  REPAIR  DEMOLISH

SQ. FT. SIZE: 12,000 NO. OF STORIES: 1 NO. OF FAMILIES: \_\_\_\_\_

USE OF STRUCTURE: SHOP (unimproved)

SIGNATURE OF APPLICANT: [Signature]

VALUATION: 60,000.-

F.C. FEES: 93.50 PMT. FEES: 187.00

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL COUNTY ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION. I CERTIFY THAT IN DOING THE WORK AUTHORIZED HEREBY I WILL NOT EMPLOY ANY PERSON IN VIOLATION OF THE LABOR CODE OF THE STATE OF CALIFORNIA RELATING TO WORKMEN'S COMPENSATION INSURANCE.

SIGNATURE OF PERMITTEE: [Signature]

ADDRESS: 5811 N. OREGON

BUILDING ADDRESS: 2032 E. 220th ST

LOCALITY: DOMINGUES

NEAREST CROSS ST: TULMAY AVE

DISTRICT NO. 99-12 GROUP 9 TYPE CONST. TH PROCESSED BY Erwin

STATISTICAL CLASSIFICATION CLASS NO. 17 DWELL UNITS \_\_\_\_\_ SEWER MAP 61 P 26

USE ZONE 174 MAP NO. 4224 SPECIAL CONDITIONS \_\_\_\_\_

BLDG. SETBACK FROM FRONT PROP. LINE OF E. 220th ST (STREET)

TYPE OF HIGHWAY	EXISTING WIDTH	SETBACK FROM C.L.	HIGHWAY + YARD =	TOTAL
Local	60'		+ =	

BLDG. SETBACK FROM SIDE PROP. LINE OF \_\_\_\_\_ (STREET)

TYPE OF HIGHWAY	EXISTING WIDTH	SETBACK FROM C.L.	HIGHWAY + YARD =	TOTAL
			+ =	

CORNER CUTOFF YES  NO

SEE REVERSE SIDE FOR SPECIAL APPROVALS

Road Department Approval in Highway Width and Improvement is Required prior to use or Occupancy of this Building. L.A. County Ord. No. 1494

7-27-65 C.K. to Issue. Rough ord OK

APPROVALS	DATE	INSPECTOR'S SIGNATURE
FOUNDATION, LOCATION FORMS, MATERIALS	1-3-60	[Signature]
FRAME, FIRE STOPS, BRACING BOLTS	1-5-60	[Signature]
FURNACE, LOCATION GAS VENT, DUCTS	12-6-60	[Signature]
LATH. INT.	12-11-60	[Signature]
LATH. EXT.	None	
HOUSE NUMBER CORRECT AND POSTED	1-1-61	[Signature]
FINAL	1-1-61	[Signature]

PLAN CHECK VALIDATION CK. M.O. CASH -  
 1086197 003 935

JOHN F. LEWIS, PRINCIPAL STRUCTURAL ENGINEER  
 PERMIT VALIDATION (CK) M.O. CASH

1058806 JUL 30 1 187.00 \$  
 E. Erwin

INSPECTOR COPY

12



70A 5367 CE 103 1271

City of Carson

# APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES  
DEPARTMENT OF COUNTY ENGINEER  
BUILDING AND SAFETY DIVISION

COLEMAN W. JENKINS, SUPT OF BUILDING

ASSESSOR MAP BOOK	PAGE	PARCEL
BUILDING ADDRESS	2020 E. 220 ST.	
LOCALITY	Carson	

FOR APPLICANT TO FILL IN  
(Print or type only)

BUILDING ADDRESS 7020 E. 220<sup>TH</sup> ST

LOT NO PORTION - LOT 4 BLOCK C

TRACT RANCHO SAN PEDRO

SIZE OF LOT 1 REG. NO. OF BLDGS. NOW ON LOT 0

USE OF EXISTING BLDG 175' X 400' APPROX

OWNER TORRANCE IRON & METAL

ADDRESS 1022 W. LOMITA BP

CITY HARBOR CITY

ARCHITECT OF ENGINEER JOHN AGUIRRE TEL. NO. 8325818

ADDRESS 31 MIRALESTE PLAZA, MIRAL

CONTRACTOR JOHN AGUIRRE TEL. NO. 8325818

ADDRESS ABOVE

CITY ABOVE LIC. NO. B-1

CONSTRUCTION LENDER NAME AND BRANCH

ADDRESS

SO. FT. SIZE 6000 NO. OF STORIES 1 NO. OF FAMILIES 0 NEW

USE OF STRUCTURE FACTORY FOR Auto Disassembly ADD  ALTER  REPAIR  DEMOL

SIGNATURE OF APPLICANT [Signature]

VALUATION 30,000 / 34,500

DISTRICT NO.	GROUP	TYPE CONST.	PROCESSED BY
<u>12.05</u>	<u>✓</u>	<u>F-2</u>	<u>[Signature]</u>
STATISTICAL CLASSIFICATION			SEWER MAP
CLASS NO. <u>10</u> DWELL. UNITS <u>1</u>			BK <u>U</u> PG <u>26</u>

USE ZONE M-4 MAP NO. 4224

SPECIAL CONDITIONS TENT P.M. 2324

Sheet Overflow; SUP 52-71

BLDG. SETBACK FROM FRONT PROP. LINE OF <u>E. 220 ST.</u> (STREET)	
TYPE OF EXISTING HIGHWAY	SETBACK FROM C.L.
<u>60'</u>	<u>60'</u>

TYPE OF EXISTING HIGHWAY	WIDTH	SETBACK FROM C.L.	HIGHWAY + YARD	=	TOTAL
<u>118.80</u>	<u>103.80</u>	<u>15.00</u>	<u>+</u>	<u>=</u>	<u>133.80</u>

SEE REVERSE SIDE FOR SPECIAL APPROVALS

3 Copies Legal Desc. Record

Soil Engr. to inspect footings to ascertain depths correct prior to over excavation

NO FINAL UNTIL APPROVED BY PLANNING DIVISION

APPROVALS: [Signature] DATE 5-3-72 INSPECTOR'S SIGNATURE [Signature] ASSISTANT PLANNING

FOUNDATION: LOCATION	FORMS, MATERIALS	DATE	SIGNATURE
FRAME: FIRE STOPS, BRACING BOLTS		<u>2-2-72</u>	<u>[Signature]</u>
FURNACE: LOCATION, GAS VENT, DUCTS			
LATH. INT.		<u>2-2-72</u>	<u>[Signature]</u>
LATH. EXT.			
HOUSE NUMBER CORRECT AND POSTED		<u>5-3-72</u>	<u>[Signature]</u>
FINAL		<u>5-3-72</u>	<u>[Signature]</u>

P.C. FEE \$ 103.80 | 118.80 | PMT. FEE \$ 153.00

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL ORDINANCES AND LAWS REGULATING BUILDING CONSTRUCTION. I CERTIFY THAT IN DOING THE WORK AUTHORIZED HEREBY I WILL NOT EMPLOY ANY PERSON IN VIOLATION OF THE LABOR CODE OF THE STATE OF CALIFORNIA IN RELATING TO WORKMEN'S COMPENSATION INSURANCE.

SIGNATURE OF PERMITTEE [Signature]

ADDRESS 31 MIRALESTE PLAZA

JOHN F. LEWIS PRINCIPAL STRUCTURAL ENGINEER  
PERMIT VALIDATION  M.O. CASH

PLAN CHECK VALIDATION  M.O. CASH

75917 623A103.80 90457 123A 15.00 90467 1 1A 198.00

John

John

Factory for Auto Disasm. 14

SPECIAL APPROVALS

	REQUIRED		DATE SENT	DATE RETURNED	DATE APPROVED
	YES	NO			
WATER CERTIFICATE	✓				
ROAD DEPT.					
HEALTH DEPT.					
FIRE DEPT.					
READING					
GEOLOGICAL					
PEDESTRIAN PROTECTION					
AGENCY (SEAN DEPT)					
SPECIAL INSPECTION CA					
ADDCN (MASONRY WELDER)					
LOT DRAINAGE					
PARKING					
STATES					

11-17-77 OK to  
 front block  
 masonry to  
 floor level  
 Cretter

11-30-77 OK to  
 pour new under  
 + slab floor  
 Cretter

12-9-77 Progress  
 12-13-77 Progress

NO. OF PLANS TO APPLICANT		NO. OF PLANS RETURNED		APPROVED
NO.	DATE	NO.	DATE	

11-9-77 Info on footing  
 11-5-77 OK to pour  
 on south north  
 east wall.  
 11-12-77 footing OK w/ b.c.  
 dirt ramp road bed  
 12-8-77 Progress

12-15-76 Progress  
 12-23-77 Info on form  
 OFFICE CO-5 12-31-77  
 15

7048367 CE 1203 1271

City of Carson

# APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES  
DEPARTMENT OF COUNTY ENGINEER  
BUILDING AND SAFETY DIVISION

COLEMAN W. JENKINS, SUPT. OF BUILDING

ASSESSOR MAP BOOK PAGE PARCEL  
BUILDING ADDRESS 2020 E. 220 ST.

LOCALITY Carson  
NEAREST CROSS ST.

DISTRICT NO. 12.05 GROUP  TYPE CONST. 1-2 PROCESSED BY *Chavez*

STATISTICAL CLASSIFICATION CLASS NO. 10 OWELL UNITS *E* SEWER MAP BKU PG/26

USE ZONE MAP NO. 4224 SPECIAL CONDITIONS *TENN. P.M. 2324;*

Sheet Overflow; SUP 52-71  
BLDG. SETBACK FROM FRONT PROP. LINE OF E 220 ST. (STREET)

TYPE OF EXISTING HIGHWAY WIDTH SETBACK FROM C.L. HIGHWAY + YARD = TOTAL  
*Loc 60'*

BLDG. SETBACK FROM FRONT PROP. LINE OF (STREET)

TYPE OF EXISTING HIGHWAY WIDTH SETBACK FROM C.L. HIGHWAY + YARD = TOTAL  
*118.80  
103.80  
15.00*

NEAR CUTOFF YES  NO

SEE REVERSE SIDE FOR SPECIAL APPROVALS

3 Copies Local Dose Road Soil Engr. to inspect footing & ascertain depth is correct prior to our proposed excavation

PLANNING DIVISION  
NO FINISH LITTLE DANGER FWD BLDG

APPROVALS REQUIREMENTS DATE INSPECTOR'S SIGNATURE ASSISTANT ENGINEER

FOUNDATION, LOCATION FORMS, MATERIALS *2-2-72*

FRAME, FIRE STOPS, BRACING, BOLTS *2-2-72*

FURNACE, LOCATION, GAS VENT, DUCTS *2-2-72*

LATH, INT. DRILLING *2-2-72*

LATH, EXT. *2-2-72*

HOLE NUMBER CORRECT AND POSTED *3-3-72*

FINAL *5-7-72*

FOR APPLICANT TO FILL IN (Printer type only)

BUILDING ADDRESS 7020 E. 220<sup>TH</sup> ST

LOT NO PORTION - LOT 4 BLOCK C

TRACT RANCHO SAN PEDRO

SIZE OF LOT 1 AEG. NO. OF BLDGS. NOW ON LOT 0

USE OF EXISTING BLDG. 175' X 400' APPROX

OWNER TORRANCE IRON & METAL

ADDRESS 1022 W. LOMITA BP

CITY HARBOR CITY

ARCHITECT OR ENGINEER JOHN AGUIRRE TEL. NO. 8325818

ADDRESS 31 MIRALESTE PLAZA, MIRAL

CONTRACTOR JOHN AGUIRRE TEL. NO. 8325818

ADDRESS ABOVE LIC. NO. CLASS B-1

CITY HARBOR CITY

CONSTRUCTION LENDER NAME AND BRANCH

ADDRESS

SO. FT. SIZE 1000 NO. OF STORIES 1 NO. OF FAMILIES 0 NEW

USE OF STRUCTURE FACTORY FOR ADD

Auto dismantling ALTER

SIGNATURE OF APPLICANT *J. Aguirre* REPAIR

VALUATIONS 30,000 / 34,500 DEMOL

P.C. FEE \$ 103.80 / 118.80 PMT. FEE \$ 158.00

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO 30 days WITH ALL ORDINANCES AND LAWS REGULATING BUILDING CONSTRUCTION. I CERTIFY THAT IN DOING THE WORK AUTHORIZED HEREBY I WILL NOT EMPLOY ANY PERSON IN VIOLATION OF THE LABOR CODE OF THE STATE OF CALIFORNIA IN RELATION TO WORKMEN'S COMPENSATION INSURANCE.

SIGNATURE OF PERMITTEE *J. Aguirre*

ADDRESS 31 MIRALESTE PLAZA

JOHN F. LEWIS, PRINCIPAL STRUCTURAL ENGINEER  
PERMIT VALIDATION  NO. CASH

PLAN CHECK VALIDATION  NO. CASH

7591 N 623 A 103.80  
9045 N 123 A 15.00

9045 N 1 1 A 198.00

*John Aguirre*

*John F. Lewis*

Building for Storage of Insurance 16





76A638A CER603 B-64

# APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES  
DEPARTMENT OF COUNTY ENGINEER  
BUILDING AND SAFETY DIVISION  
JOHN A. LAMBIE, COUNTY ENGINEER  
COLEMAN W. JENKINS, S.U.P.T. OF BUILDING

1

## FOR APPLICANT TO FILL IN

BUILDING ADDRESS **2032 E. 220th St. Long Beach**

LOT NO. **L 6 GAL 076** BLOCK

TRACT

SIZE OF LOT NO. OF BLDGS. NOW ON LOT **NONE**

USE OF EXISTING BLDG

OWNER **SERVO CO** TEL. NO. **NE 62949**

ADDRESS **2450 CERROS**

CITY **LONG BEACH, CAL.** TEL. NO. **681-2461**

ARCHITECT OR ENGINEER **F. QUESADA** TEL. NO. **NE 2943**

ADDRESS **3019 POWERS AVE LA**

CONTRACTOR **E. N. HAIN** TEL. NO. **772-5471**

ADDRESS **219 50 HALLOWORNE** LIC. NO.

CITY **HALLOWORNE, CAL.** LIC. CLASS

DESCRIPTION OF WORK

NEW  ADD ALTER REPAIR DEMOLISH

SQ. FT. SIZE **7,000** NO. OF STORIES **1** NO. OF FAMILIES

USE OF STRUCTURE **ADMINISTRATION OFFICES**

SIGNATURE OF APPLICANT *[Signature]*

VALUATION **77,000.-**

BUILDING ADDRESS **2032 E. 220th ST**

LOCALITY **DOMINGUEZ**

NEAREST CROSS ST. **WILMINGTON AVE**

DISTRICT NO. **99-12** GROUP **F-2** TYPE CONST. **I** PROCESSED BY **Emin**

STATISTICAL CLASSIFICATION CLASS NO. **15** DWELL UNITS

SEWER MAP **24124**

USE ZONE **H-4** MAP NO. **(606) 4224** SPECIAL CONDITIONS **Rd. Dept approval on file**

BLDG. SETBACK FROM FRONT PROP. LINE OF **CAR POST** (STREET)

TYPE OF HIGHWAY	EXISTING WIDTH	SETBACK FROM C.L.	HIGHWAY + YARD	= TOTAL
<b>Highway 6</b>				<b>6 = 17</b>

BLDG. SETBACK FROM SIDE PROP. LINE OF (STREET)

TYPE OF HIGHWAY	EXISTING WIDTH	SETBACK FROM C.L.	HIGHWAY + YARD	= TOTAL

CORNER CUTOFF YES  NO

SEE REVERSE SIDE FOR SPECIAL APPROVALS

**Road Department approval of Highway Width and Improvement is Required prior to use or Occupancy of this Building. L. A. County Ord. No. 1494**

P.C. FEES **110.50** PMT. FEE **221.00**

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL COUNTY ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION. I CERTIFY THAT IN DOING THE WORK AUTHORIZED HEREBY I WILL NOT EMPLOY ANY PERSON IN VIOLATION OF THE LABOR CODE OF THE STATE OF CALIFORNIA RELATING TO WORKMEN'S COMPENSATION INSURANCE.

SIGNATURE OF PERMITTEE *[Signature]*

ADDRESS **2311 W. J. Segunda**

APPROVALS	DATE	INSPECTOR'S SIGNATURE
FOUNDATION, LOCATION FORMS, MATERIALS	8-5-65	<i>[Signature]</i>
FRAME, FIRE STOPS, BRACING BOLTS	10-18-65	<i>[Signature]</i>
FURNACE, LOCATION GAS VENT. DUCTS		
LATH. INT.	10-18-65	<i>[Signature]</i>
LATH. EXT.		
HOUSE NUMBER CORRECT AND POSTED	2-11-66	<i>[Signature]</i>
FINAL		<i>[Signature]</i>

PLAN CHECK VALIDATION CK. M.O. CASH **86180 803 1105**

JOHN F. LEWIS, PRINCIPAL STRUCTURAL ENGINEER  
PERMIT VALIDATION  M.O. CASH

**68798 430 11221.00**  
*E Emin*

PLANS MUST BEAR PUNISHMENT WASTE CLEARANCE INSPECTOR COPY

Administration Office 18

PERMIT FOR BUILDING

NO. OF RECEIVED	RECEIVED OR REQUIRED
	Rec'd
WATER OR SEWERAGE	
STREETS	
HEALTH DEPT. APPROVAL	
FIRE DEPT. APPROVAL	
ENGINEER APPROVAL	
SECURITY APPROVAL	
PLANNING DEPARTMENT	
PLANNING DEPARTMENT	
SPECIAL OPERATIONS	
UNION	

MONTAGNA, MONTANA

8-11-67 Info on masonry  
 8-17-67 3rd floor masonry  
 8-18-67 OK to front of building on east end of  
 north section  
 8-23-67 OK to front  
 8-28-67 Foundation masonry  
 10-6-67 exterior wall of  
 wood to Woodie  
 11-19-67 Info on exits

MONTAGNA, MONTANA





NOV 1975

OK TO ROCK  
FILE CAPS  
/ 7/21/76

22



Had change for 100  
1/23/74 - Paid 100 - 100

Peer Sent on Execution of Agreement  
1974

5/21/74 King









November 7, 2008

**VIA FACSIMILE**  
**310-835-5749**

Steve Newberg  
Planning Division  
City of Carson  
701 E. Carson  
Carson CA 90745

**Re: TST, Inc.**

Dear Mr. Newberg:

As discussed on the telephone yesterday, this letter is to formally request a continuance of the Public Hearing set for November 24, 2008 with respect to TST, Inc.'s pending appeal. Lead counsel on this matter, Michael C. Baum, will be out of the country on that date.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew V. Jablon', written over a horizontal line.

Andrew V. Jablon

AVJ/

resch polster & berger llp

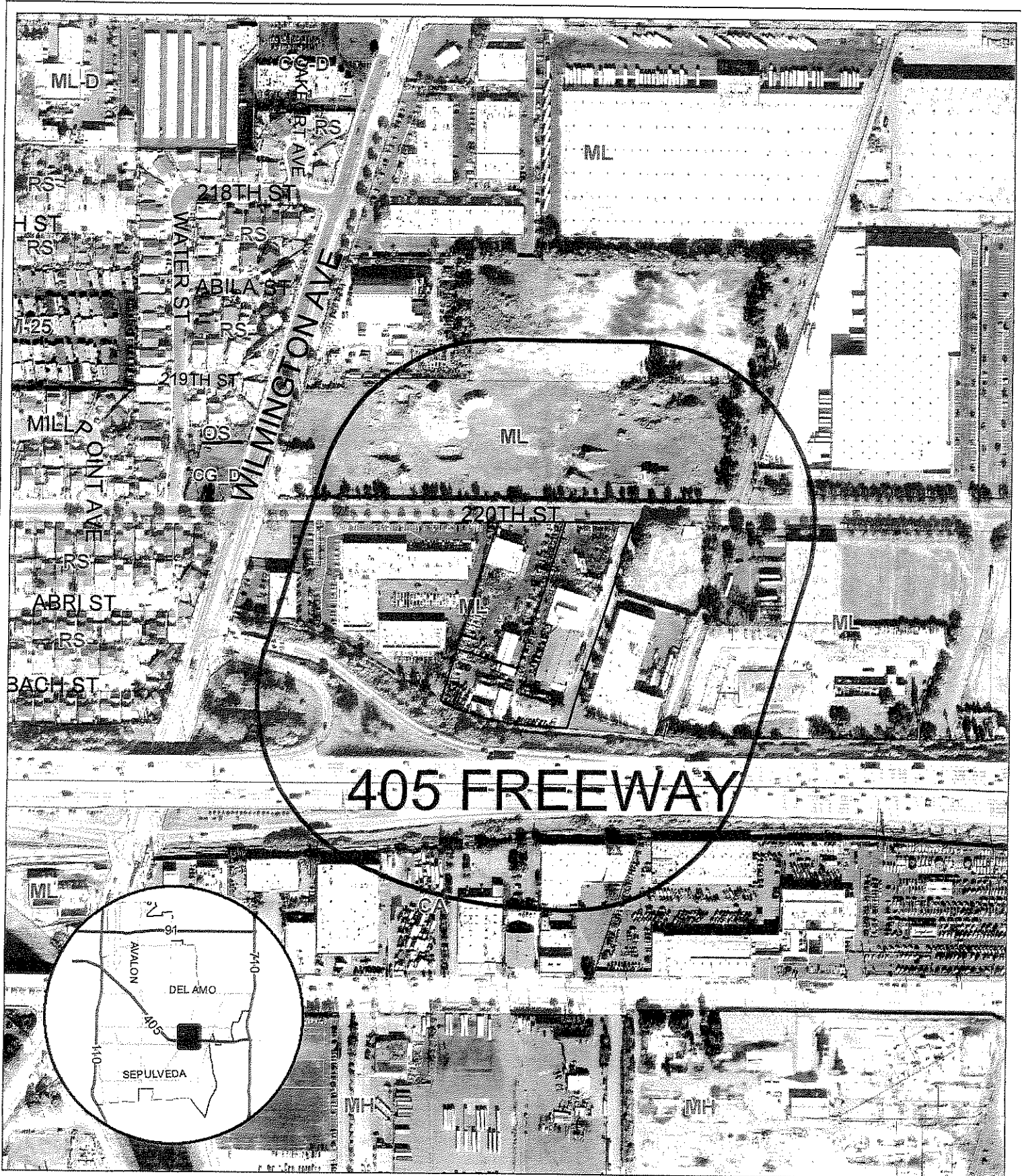
LAWYERS  
a limited liability partnership including  
professional corporations

380248.1

**Exhibit 2**

9200 SUNSET BLVD., NINTH FLOOR  
LOS ANGELES, CA 90069-3604  
T 310.277.8300 F 310.552.3209  
rpblaw.com





**405 FREEWAY**

**City of Carson  
500 Foot Radius Map  
2020 - 2032 E 220th St**

**Exhibit 3**

11/13/2008  
GIS/Planning Division  
KCC:mas  
020th\_SNE\_2020-2032  
ZoningMap.mxd





07 AUG 27 PM 3: 34

ENGINEERING SERVICES DEPT.

August 23, 2007

Sheri Repp Loadsman  
City of Carson  
Planning Division  
701 East Carson Street  
Carson, CA 90745-2224

Re: *2020 East 220th Street, Long Beach, California*  
*and*  
*2032 East 220th Street, Long Beach, California*

Dear Ms. Repp:

Per our prior telephone conversation, enclosed you will find copies of the building permits which we believe extend our client's amortization period beyond the January 2011 date you had suggested:

	<u>Final Inspection</u>	<u>Amortization Date</u>
1. Permit for shop (machine and welding)	02/01/1966	02/01/2016
2. Factory for auto dismantling	05/03/1972	05/03/2022
3. Building for storage of incombustible Materials	12/07/1973	12/07/2023
4. Administration offices	02/01/1966	12/01/2016
5. Tank for holding water	10/01/1976	10/01/2026
6. Processing pit for melting aluminum	02/03/1977	02/03/2027
7. Metal canopies	06/07/1974	06/07/2024
8. Fire separation block wall	01/23/1970	01/23/2020





Sheri Repp Loadsman  
City of Carson / Planning Division  
August 23, 2007  
Page 2

Please give me a call after you have had a chance to review the enclosed so that we can discuss any questions you may have.

Very truly yours

A handwritten signature in black ink, appearing to read "Michael C. Baum", with a long horizontal line extending to the right.

Michael C. Baum

MCB:FY  
#361618  
Enclosures

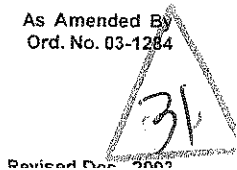
A lawfully established use which becomes a nonconforming use, including any building, structures or facilities designed or intended only for uses which are nonconforming, shall be terminated and such buildings, structures or facilities shall be removed or made conforming in all respects within the time period specified in Subsection A or B of this Section, whichever is applicable and results in the later termination date.

If multiple termination periods exist, apply the longest time as per int. No. 2-79

A. The time period indicated in the following table measured from the date of becoming a nonconforming use:

As Amended By Ord. No. 81-550

<i>Use</i>	<i>Allowable Life</i>	
Use of land without building or structures.	1 year	
Use involving only buildings or structures which would not require a building permit to replace such building or structures (but not including a mobile home park).	3 years	
Second Dwelling	5 years	As Amended By Ord. No. 03-1290
Mobile Home Park	35 years	
Use involving building or structures which would require a building permit to replace such buildings or structures.	20 years	
Multiple-family residential uses located within a Mixed-Use Residential (MUR) Overlay District with ten (10) or more units (except existing mobile home parks), subject to Section 9182.24.	2 years	As Amended By Ord. No. 94-1039
Residential uses located within a Mixed-Use Residential (MUR) Overlay District with nine (9) units or less, subject to Section 9182.24.	5 years	As Amended By Ord. No. 94-1039
Existing food/grocery stores in residential zones.	Expires December 31, 2003	As Amended By Ord. No. 93-1024
Outdoor advertising use.	5 years	
Trailer Parks.	20 years	As Amended By Ord. No. 84-679
Sale of convenience goods at automobile service stations within 300 feet of any school.	20 years	
Transient hotels and motel units with no kitchens (except one manager's unit).	35 years	As Amended By Ord. No. 84-702
Producing oil wells, oil storage tanks.	20 years	As Amended By Ord. No. 84-685
Arcades.	5 years	
Truck related uses defined in Section 9148.8 which requires a Conditional Use Permit.	1 year	As Amended By Ord. No. 92-982
Adult Business.	5 years	As Amended By Ord. No. 94-1037
Wireless telecommunication facility, transmitter, receiver or repeater station - radio, television, microwave.	5 years	As Amended By Ord. No. 03-1284



Cargo Container Storage; provided however, that effective February 5, 1988 (1) no cargo container storage shall be permitted within fifty (50) feet of any residentially zoned property which involves any stacking more than one container high; no cargo container storage shall be permitted within one hundred (100) feet of any residentially zoned property which involves any stacking more than two containers high and (3) in no event shall any cargo container storage be permitted on any site which involves any stacking more than three containers high.

6 Months

As Amended By  
Ord. No.87-822

Indoor Mini-Mart, Auction House.

10 Months

As Amended By  
Ord. No.87-813

Transmitters, receivers and repeater stations.

5 Years

As Amended By  
Ord. No.03-1279

B. The time period indicated in the following table measured from the date of construction of the most recently constructed main building or other major facilities which are designed or intended for the nonconforming use.

**Structure Type According to Building Code\***

Type of Structure*	Old Classification	New Classification	Use	Allowable Life
Light metal or wood frame.	IV, V	II (1-hour) II-N,V	Nonresidential	25 years
Light metal or wood frame.	IV, V	II (1-hour) II-N,V	Residential, except single-family dwellings.	30 years
Light metal or wood frame.	IV, V	II (1-hour) II-N,V	single-family dwellings.	35 years
Heavy timber, masonry, concrete.	II, III	II (Fire Resistive) III,IV	All	40 years
Fire resistive heavy steel and/or concrete.	I	I	All	50 years

\* Building Code classification shall take precedence over type of material in case of conflict.







# CITY OF CARSON

September 30, 2008

Mr. Michael C. Baum  
Resch, Polster, Alpert, and Berger, LLP  
9200 Sunset Boulevard, Ninth Floor  
Los Angeles, CA 90069-3604

Re: TST Metals  
2020 and 2032 E. 220<sup>th</sup> Street, Carson, CA 90745

Mr. Baum,

The following information is in response to your request dated August 23, 2007 for an assessment of building permit information as it relates to the legal, non-conforming status of the use at the addresses cited above. This information incorporates our findings from a site inspection and confirms the Planning Division's decision regarding the non-conforming 'allowable life' and amortization date of the existing use. Our previous correspondence dated March 13, 2008 presenting a detailed analysis of the legal, non-conforming status of the subject property is also enclosed.

The Building and Safety Division has reviewed the building permits issued for the eight structures identified in your request, as well as all other building permits on file for the subject property. A field inspection on April 29, 2008 yielded findings which are consistent with building permits on file for all structures. All eight structures identified in your written request were correctly classified as either 'Type IV', non-combustible, or 'Type V' at the time of construction.

The following table lists each structure as identified in your original request and provides information regarding the structures' legal, non-conforming status, allowable life, and amortization:

Permit No.	Work Description	Type of Construction	Final Inspection Date	Allowable Life Per CMC Section 9182.22(B)	Amortization Date (Final Inspection Date + Allowable Life)
1	Permit for shop (machine and welding)	IV	February 1, 1966	35 years	February 1, 2001
2	Factory for auto dismantling	V	May 3, 1972	35 years	May 3, 2007

## Exhibit No. 6



Permit No.	Work Description	Type of Construction	Final Inspection Date	Allowable Life Per CMC Section 9182.22(B)	Amortization Date (Final Inspection Date + Allowable Life)
3	Building for storage of incombustible materials	IV	December 7, 1973	35 years	December 7, 2008
4	Administration offices	V	February 1, 1966	35 years	February 1, 2001
5	Tank for holding water	Non-conformity use incidental to a non-conforming use, which must be brought into compliance pursuant to Carson Municipal Code Section 9182.08.			
6	Processing pit for melting aluminum	No longer in use.			
7	Metal canopies (3 total)	IV	June 7, 1974	35 years	June, 7, 2009
8	Fire separation block wall	Non-conformity incidental to a non-conforming use, which must be brought into compliance pursuant to Carson Municipal Code Section 9182.08.			

As shown in the table above, the latest possible amortization date based upon type of construction is June 7, 2009. As stated in our March 13, 2008 correspondence, a January 1, 2011 expiration date of legal, non-conforming status for the use at the subject property was identified. This date refers to the allowable life of the non-conforming use, which is 20 years from the date of non-conformance. Therefore, the current scrap metal yard and processing facility use must be abated by January 1, 2011, which includes all of the buildings identified in the list above.

We recognize the importance of your request and have taken appropriate care to provide a full evaluation, including a complete investigation of the building permits for the subject property, previously approved land-use entitlements, field observations, and a study of the property's historical zoning. Based upon our analysis, this letter provides confirmation of the determination contained in our correspondence to you dated March 20, 2008, which established a January 1, 2011 expiration date for the existing non-conforming use. There are a number of alternatives available to TST Metals and we encourage a meeting to discuss these options in detail. In order to comply, the following courses of action may be taken:

- 1) The owner may submit a development application for an alternative use should it wish to convert the existing structure(s) to a use permitted in the zone, pursuant to Section 9141.1 of the Carson Municipal Code (CMC). Please note however, that the review process involving an application for a new use is a process that is mutually exclusive of the termination of existing non-conforming use process as outlined in this correspondence. Thus, it does not extend the non-conforming abatement period of the existing use as described herein;



- 2) An appeal of this final determination of the allowable life of the nonconforming metals processing use may be filed within 15 days after receipt of this correspondence, pursuant to Section 9173.4 of the CMC;
- 3) The owner may apply for a possible extension of the legal, nonconforming life. Procedures for this are outlined in Section 9172.25 of the CMC. Such extension may be granted by either the Planning Commission or City Council upon request by the owner.

If you need any further clarification of this analysis or the City's procedures, please contact the undersigned.

Sincerely,



Sheri Repp-Loadsman  
Planning Manager

*Enclosures*

*Cc: C. Graves, Economic Development General Manager  
V. Rollinger, Development Services General Manager  
F. Gallant, Assistant City Attorney  
S. Newberg, Associate Planner*

SCN

