CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 24, 2009
SUBJECT: Conditional Use Permit No. 718-09
APPLICANT: Ron Sobel
Jesus is Lord Church
20411 S. Susana Rd
Long Beach, CA 90810
REQUEST: Shared parking to facilitate church use on a site located in the MH (Manufacturing, Heavy Industrial) zone district
PROPERTY INVOLVED: 20411 S. Susana Road

COMMISSION ACTION

____ Concurred with staff
____ Did not concur with staff
____ Other

COMMISSIONERS' VOTE

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Item No. 11-B
I. **Introduction**

*Date Application Received*—January 6, 2009
- Conditional Use Permit No. 718-09

**Property Owner**
- Ron Sobel, 24426 Alta Vista Dr, Dana Point, CA 92629

**Project Applicant**
- Same as owner
- **Project Address**
  - 20411 S. Susana Rd, Carson, CA 90745

**Project Description**
- Proposed shared parking for church/office use.
- The application includes the following:
  - Conditional Use Permit No. 718-09 for shared parking within a heavy industrial building for a proposed church/office use.

II. **Background**

**Current Use of Property**
- The property is developed with one industrial building consisting of approximately 14,132 square feet. The heavy industrial building was built in 1978.

**Previously Approved Discretionary Permits**
- There is no record of previously approved discretionary permits on this property.

**Public Safety Issues**
- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement cases associated with this property.

III. **Analysis**

**Location/Site Characteristics/Existing Development**
- The subject property is located at 20411 S. Susana Road.
- The subject site consists of one heavy industrial building with 14,132 square feet built in 1978.
- Heavy industrial uses surround the subject property.
- The lot has an irregular shape with a lot area of 1.43 acres.

- The existing heavy industrial building is developed with 70 parking spaces. The proposed church will use approximately 1,200 square feet for office and sanctuary floor area. The proposed Jesus is Lord Church floor plan identifies
approximately 400 square feet for assembly/sanctuary use, however, there is no physical wall or barrier separating the assembly area from the identified 400 square foot office/storage area. Therefore, the assembly area could use approximately 800 square feet for sanctuary area which would require 23 parking spaces.

- The existing 14,132 office/industrial building also contains two additional churches. The Del Amo Church has a 700 square foot assembly area and the El Buen Pastor Church has a potential of a 700 square foot assembly area. The two churches require 40 parking spaces. The proposed Jesus is Lord Church requires 23 parking spaces for a combined parking requirement of 63 parking spaces. All identified churches will only use the sanctuary space on Sundays. The existing office/industrial building is developed with 70 parking spaces meeting the required parking via the CMC required shared parking Conditional Use Permit application.

- The applicant/property owner has provided a notarized signed agreement that specifies church use of existing parking spaces at 20411 Susana Road will not conflict with any other tenants. Further, the agreement states that all other businesses on the site are closed on Sunday's. The agreement specifies that the Del Amo Church hours would be: Sunday from 9:00 a.m. to 11:00 a.m. and from 5:00 p.m. to 8:00 p.m.; El Buen Pastor Church hours would be: Sunday from 11:00 a.m. to 2:00 p.m. and the Jesus is Lord Church would be Sunday from 10:00 a.m. to 12:30 p.m.

- The subject property is also developed with four other commercial/industrial uses: the Giant Grinder a sandwich shop; Sean Blake a sign company; Skill-Master, Inc., an office and Eva Express Inc., an office. All four business uses have been informed of the proposed shared parking conditional use permit. Further, all four businesses do not operate during weekend hours.

**Zoning/General Plan/Redevelopment Area Designation**

- The subject property is zoned MH (Heavy Industrial) and surrounding properties share the same zoning.
- The subject property has a General Plan Land Use designation of Heavy Industrial.

**Applicable Zoning Ordinance Regulations**

The proposed shared parking CUP is subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Sections 9162.21 B. 8. (Off-Street Parking Requirements) and CMC Section 9162.24 B. (Automobile Parking Spaces Required for Mixed Uses).
Required Findings: Conditional Use Permit

Pursuant to Section 9172.21.D, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

Pursuant to Section 9162.24 B. Automobile Parking Spaces Required for Mixed Uses, the Planning Commission may approve a shared parking use subject to the following requirements:

1. The applicant shall show evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed.
2. Any reduction in parking shall not decrease the total number of parking spaces below the level necessary to meet the collective peak parking demand for all participating uses.
3. Property owners involved in the joint use of off-street parking facilities shall submit an agreement for such use by a proper legal instrument approved by the Director as to form and content. Such instrument shall be submitted with the Conditional Use Permit Application. Such instrument, when approved as conforming to the provisions of this Section, shall be recorded in the office of the County Recorder with thirty (30) days of Commission approval, and copies of said recorded document filed with the Community Development Department.
4. The Commission shall make a finding that there is adequate parking available for all affected lots, parcels and uses located thereon.

All of the required findings pursuant to Section 9172.21(D), “Conditional Use Permit Review, Commission Findings and Decision”, and Section 9162.24 B. can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern:

- Issue – Adequate Parking Available: Pursuant to Section 9162. 24 (B), Automobile Parking Spaces Required for Mixed Uses: The applicant shall show evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed.
o Mitigation: The applicant shall submit a legal instrument approved by the Director as to form and content that shows evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed.

o Mitigation: The property owner shall provide evidence that existing and future tenant leases reflect acknowledgement and agreement that the Jesus is Lord Church, Del Amo Church and El Buen Pastor Church shall be permitted to use the existing 70 parking spaces Monday through Friday after 6:00 p.m., (after working hours) and during the weekend.

IV. Environmental Review

Pursuant to Section 15301(e) “Existing Facilities” of the California Environmental Quality Act (CEQA), the proposed shared parking to facilitate church use on an existing developed light industrial parcel does not have the potential for causing a significant effect on the environment and is found to be exempt.

V. Recommendation

That the Planning Commission:

- WAIVE further reading and ADOPT Resolution No.____, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 718-09 FOR A SHARED PARKING AGREEMENT TO FACILITATE CHURCH USES LOCATED AT 20411 S. Susana Road”.

VI. Exhibits

1. Resolution

2. Development Plans

3. Shared Parking Consent/Legal Instrument

Prepared by: Zak Gonzalez II, Planner

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

Approved by: Sheri Repp, Planning Manager

CUP No. 718 09 4
CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 718-09 FOR A SHARED PARKING AGREEMENT TO
FACILITATE CHURCH USES LOCATED AT 20411 S. SUSANA
ROAD

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, Ron Sobel, with respect to
real property located at 20411 S. Susana Road, and described in Exhibit "A" attached
hereunto, requesting the approval of a Conditional Use Permit (CUP No. 718-09) for a shared
parking agreement to facilitate church uses in the MH (Heavy Industrial) zone.

A public hearing was duly held on February 24, 2009, at 6:30 P.M. at City Hall, Council
Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose
of the aforesaid meeting was duly given.

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

Section 3. The Planning Commission finds that:

a) The General Plan designates the property as Heavy Industrial which is
compatible with the proposed use. The proposed church use will be consistent
with the surrounding heavy industrial uses and 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 surrounding
land uses are primarily light industrial uses and the proposed project is
compatible with those uses. The site is 1.43 acres, relatively flat, and is located
in a heavy industrial office area.

d) The applicant submitted a legal instrument that provides written property owner
consent to use the existing 70 parking spaces. The written consent submitted
provides evidence that there is no substantial conflict or overlap in the principal
operating hours of the buildings or uses for which the shared parking facilities
are proposed. Therefore, circulation and street parking on the adjacent public
streets will not be adversely impacted. Safety and convenience of vehicular
and pedestrian access is provided.
e) Signage for the proposed project will be through a separate permit.

f) The proposed CUP application for shared parking to facilitate church use meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21 (D), “Conditional Use Permit, Approval Authority and Findings and Decision” can be made in the affirmative.

**Section 4.** The Planning Commission further finds that the use permitted by the proposed Conditional Use Permit will not have a significant effect on the environment. The proposed use will not alter the predominately heavy industrial office 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(e) of the CEQA (California Environmental Quality Act) Guidelines.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 718-09 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 24TH DAY OF FEBRUARY, 2009**

__________________________
CHAIRMAN

ATTEST:

__________________________
SECRETARY
Exhibit "A"

Legal Description:

20411 S. Susana Rd:

Parcel 6 of Parcel Map No. 8746, in the City of Carson, County of Los Angeles, State of California, as per Map filed in Book 100, Pages 47 & 48 of Parcel Maps, in the Office of the County Recorder of said county.

APN: 7306026026
GENERAL CONDITIONS

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 718-09, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.

2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.

3. 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.

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

5. 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.

6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.

7. It is further made a condition of this approval that if any condition is violated or if any law, statute ordnance 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.
8. 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.

9. The applicant shall submit a legal instrument approved by the Director as to form and content that shows evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed. Said instrument shall be recorded with the County Recorders Office within thirty (30) days of the Planning Commission’s approval.

10. The property owner shall provide evidence that existing and future tenant leases reflect acknowledgement/agreement that the Jesus is Lord Church, the Del Amo Church and the El Buen Pastor Church shall be permitted to use the existing 70 parking spaces at 20411 S. Susana Rd (APN 7306026026) Monday through Friday after 6:00 p.m. and during the weekend.

11. Any future expansions to the proposed main assembly/sanctuary area will require a modification request to the proposed Conditional Use Permit Application.

12. 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. 718-09. 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.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

13. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

14. 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.
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F  JESUS IS LORD CHURCH  APPLYING FOR APPLICATION
Jesus is Lord Church  20411 S. Susana Rd. Unit F.  Long Beach, Ca.  90810
1,200 square feet

Office – 400 sq. ft

Office, storage, etc. - 400 square feet

Assembly – 400 square feet

ROLL-UP DOOR      EXIT
El Buen Pastor Inc. 20411 S. Susana Rd. Unit J. Long Beach, Ca. 90810
1,040 square feet

ENTRANCE


Bathroom

Office, storage, etc. - 300 square feet

Assembly – 400 square feet

EXIT | ROLL-UP DOOR |
Del Amo Church  20411 S. Susana Rd. Unit M & N.  Long Beach, Ca.  90810
2,000 square feet

ENTRANCE  

340 square feet

Bathroom

Office, storage, etc.

960 square feet

Assembly – 700 square feet

EXIT  

ROLL-UP DOOR  

EXIT
January 22, 2009

City of Carson
Development Services/Planning Division
701 East Carson Street
Carson, CA. 90749

To Whom It May Concern:

This letter is to confirm that the owners of the property at 20411 S. Susana Rd., Long Beach, CA. 90810 agree with the following.

We agree that churches Del Amo Church, El Buen Pastor Inc. along with Jesus Is Lord Church will not conflict with any other tenants at this property including parking. The hours of the churches will be on Sunday’s, as stated in the individual letters and information delivered along with the City Development Application. All other businesses are closed on Sunday’s.

The hours for the churches are as follows:

    Sunday

    Del Amo Church   9 am to 1 pm
                      5 pm to 8 pm

    El Buen Pastor Inc. 11 am to 2 pm

    Jesus is Lord Church 10 am to 12:30

The owners have agreed that this is an excellent use for this property. They have been trying to lease this property for almost two years. These are good people and all parties should not be help up at this time. Especially with the economy the way it is.

If you have any questions, you can contact me at 714-423-4241.

Sincerely yours,

Ron Sobel

Exhibit 3
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On January 27, 2009 before me, Jordan Faust, Notary Public, personally appeared

who proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Letter

Document Date: January 27, 2009

Number of Pages: 1

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: 

☐ Individual
☐ Corporate Officer — Title(s): 
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: 

Signer Is Representing: 

[Signature]

Right Thumbprint of Signer

Top of thumb here

Signer's Name: 

☐ Individual
☐ Corporate Officer — Title(s): 
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: 

Signer Is Representing: 

[Signature]
January 22, 2009

City Of Carson
Development Services/Planning Division
701 East Carson Street
Carson, CA. 90749

To Whom It May Concern:

We are writing this letter to confirm our name, address and hours we are open for services. We would also state that we do not have any conflicts with any other tenants concerning their hours of business or any parking concerns.

El Buen Pastor, Inc.
20411 S. Susana Rd. Unit J
Long Beach, CA. 90810

Sundays 11 am to 2 pm

Steve Evans

[Signature]

[Notary Public Stamp]
JURAT WITH AFFIANT STATEMENT

State of California
County of Los Angeles

☐ See Attached Document (Notary to cross out lines 1–8 below)
☐ See Statement Below (Lines 1–7 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me this 25th day of January, 2009, by

(1) Steve Evans

(2) D. Padilla

Name of Signer(s)

Name of Signer(s)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document:________________________

Document Date:________________________ Number of Pages:________________________

Signer(s) Other Than Named Above:________________________
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Bernardino

On Jan 23, 2009 before me, Tina Brockett, Notary Public, here Insert Name and Title of the Officer

personally appeared Eduardo Velasquez, here Insert Name of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature __________________________
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document:

Title or Type of Document: Affidavit

Document Date: Jan 23, 2009
Number of Pages: 1

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: __________________________

☐ Individual
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: __________________________

Signer Is Representing: __________________________

Signer's Name: __________________________

☐ Individual
☐ Corporate Officer — Title(s): __________________________
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: __________________________

Signer Is Representing: __________________________
January 22, 2009

City Of Carson
Development Services/Planning Division
701 East Carson Street
Carson, CA. 90749

To Whom It May Concern:

We are writing this letter to confirm our name, address and hours we will be opened for services. We would also state that we do not have any conflicts with any other tenants concerning their hours of business or any parking concerns.

Jesus Is Lord Church
20411 S. Susana Rd. Unit F
Long Beach, CA. 90810

Sundays 10 am to 12:30 pm

Eduardo Velasquez

[Signature]
January 22, 2009

City Of Carson
Development Services/Planning Division
701 East Carson Street
Carson, CA. 90749

To Whom It May Concern:

We are writing this letter to confirm our name, address and hours we are open for services. We would also state that we do not have any conflicts with any other tenants concerning their hours of business or any parking concerns.

Del Amo Church
20411 S. Susana Rd. Unit M & N
Long Beach, CA. 90810

Sundays 9 am to 1 pm
Sundays 5pm to 8 pm

William T. Minor

[Signature]

[Notary Stamp]

[Notary Stamp]