



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:

November 25, 2014

SUBJECT:

Conditional Use Permit No. 959-14

APPLICANT:

Stephanie Dillard
16424 S. Western Ave #102
Gardena, CA 90247

REQUEST:

To permit three existing nonconforming single-family residential units on a site located in the RS (Residential Single-Family) zoning district

PROPERTY INVOLVED:

630 East Lincoln Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chairman Piñon			Saenz
		Brimmer			Schaefer
		Díaz			Verrett
		Goolsby			

Item No. 11-E

I. Introduction

Property Owner/Applicant

Stephanie Dillard, 16424 S, Western Ave #102, Gardena, CA 90247

Project Address

630 East Lincoln Street, Carson CA 90745

Project Description

On May 31, 2014, the applicant, who was purchasing the property at the time, agreed to a compliance schedule to remediate code violations at the property. The code violations included three nonconforming single-family residential units and a variety of building and safety violations.

The applicant is proposing to legalize all three existing nonconforming 800-square-foot units on a 6,472-square-foot site (0.15 acres). The site includes two separate properties that have been tied for assessor purposes.

II. Background/Analysis

Current Use of the Property

The current use of the property is multifamily residential.

Previous Uses

According to the assessor's records, the buildings were built in 1959.

Previously Approved Discretionary Permits

The project site was included in two previously approved discretionary permits from 2007 and 2010.

On September 17, 2007, the Planning Commission approved the following discretionary permits (Exhibit No. 3):

- Design Overlay Review No. 1001-07 – Construction of seven new, 2-story, 1,839-square-foot, single-family homes on seven adjacent, 25-foot-wide lots
- Variance No. 500-07 – Request to deviate from Section 9126.24 of the Carson Municipal Code (CMC) which requires a six-foot-wide side yard setback on the street side of a 25-foot-wide corner lot. The variance request was to reduce the side yard setback to three (3) feet.

In September 2008, the applicant applied for an extension of time because of the struggling housing market and the difficulty in securing construction loans. The Planning Commission granted an extension of time until September 17, 2009. Subsequently, the approvals expired because no building permits were issued for the project.

On January 12, 2010, the Planning Commission approved the following discretionary permits (Exhibit No. 4):

Planning Commission Staff Report
November 25, 2014
CUP No. 959-14



- Design Overlay Review No. 1339-09 – Construction of seven new, 2-story, 1,839-square-foot, single-family homes on seven adjacent, 25-foot-wide lots
- Variance No. 507-09 – Request to deviate from Section 9126.24 of the Carson Municipal Code (CMC) which requires a six-foot-wide side yard setback on the street side of a 25-foot-wide corner lot. The variance request was to reduce the side yard setback to three (3) feet.

Due to inactivity the approvals expired once again because no building permits were issued. The housing market had not yet recovered and it was infeasible to build. Subsequently, the previous owner sold the seven lots including four of the lots to the current owner, Ms. Dillard.

History

In 1977, the City adopted the Zoning Ordinance and zoning map and designated the subject property as zoned RS (Residential, Single-family), which allows one unit per property. Since the property was already developed with three residences, it became nonconforming subject to abatement. According to Section 9182.22 of the Zoning Ordinance, a residence that becomes nonconforming is subject to a 20-year amortization period from the date of becoming nonconforming. This allows the nonconforming units on the property to continue for 20 years after 1977.

In 1997, when the amortization period expired, the units had to be abated by either demolishing two of the units, combining the units to create one large unit, or by other means of becoming conforming. Instead, no action was taken by the property owner and the City chose not to abate the subject property and other properties like it. This is most likely due to a lack of staffing, political sensitivity, and the difficulties involved with relocating families.

In 2003, the City adopted the second dwelling ordinance which allows legal nonconforming properties with two units to continue with approval of a conditional use permit (CUP). However, the City did not address units with more than two units.

Earlier this year, staff presented a City-initiated ordinance amendment that would allow nonconforming properties with three or more units in the RS zone to continue indefinitely with approval of a CUP. Staff advised that properties would be reviewed on a case-by-case basis and the City may not want to allow certain nonconforming properties to continue based on a number of issues including a lack of maintenance, incompatibility with the surrounding neighborhood, inappropriateness of design, location, etc. The Planning Commission has discretion in whether to allow these nonconforming properties to continue. If a homeowner or resident is not satisfied with the decision of the Planning Commission, an opportunity is given to appeal the decision to the City Council.

Public Safety Issue

None

III. Analysis and Findings

Location/Site Characteristics/Existing Development

The subject property is located on the south side of Lincoln Street east of Avalon Boulevard. The subject property is within a developed residential neighborhood.

Zoning/General Plan Designation

The subject property is zoned RS (Residential, Single-Family), with all adjacent properties along Lincoln Street sharing the same zoning designation. The subject property has a General Plan Land Use designation of Low Density Residential, which is consistent with the zoning designation.

Applicable Zoning Ordinance Regulations

The three existing nonconforming units are subject to the approval of a conditional use permit in accordance with the adequacy of on-site parking and applicable development standards contained in CMC 9125.5 and 9125.6.

Project Details

The applicant requests legalization of three existing nonconforming 2-bedroom single-family units and an attached three-car garage. However, the proposed project does not meet the minimum parcel size of 10,000 square feet, minimum front yard setback of 25 feet or rear yard setback of 15 feet. In addition, the project does not provide adequate parking to relieve impacts to the surrounding neighborhoods. The proposal includes a total of three parking spaces where a minimum of six is required for three two-bedroom units.

On May 15, 2014, the applicant entered into a Property Remediation Agreement (PRA) with the City to allow the applicant to close escrow and purchase the property provided that certain performance standards were met during a given time (Exhibit 5).

On July 28, 2014, the applicant submitted a conditional use permit (CUP) application, in accordance with the PRA, to keep two of the three units.

On September 2, 2014, the City Council passed Ordinance No. 14-1539, which allowed existing lawfully established multiple dwelling units located in the RS zone the opportunity to obtain a conditional use permit by the Planning Commission, if findings for adequate parking and applicable development standards contained in CMC 9125.5 and 9125.6 could be made.

In accordance with the Property Remediation Agreement, staff required the applicant to secure appropriate planning and building permits prior to renovating the residential units. However, the applicant decided to proceed with the interior and exterior renovation of all three buildings with only demolition and electrical permits. Although staff did agree to allow the applicant to rent two of the units because the applicant

Planning Commission Staff Report
November 25, 2014
CUP No. 959-14



claimed a financial hardship by leaving the units vacant, it has always been explained that the units are nonconforming until and unless a CUP is approved. Unbeknownst to staff, the applicant invested a substantial amount of money to upgrade the interior and exterior of the units. In speaking with the applicant, it has been explained that the City still has the discretion to require abatement of the units.

On September 23, 2014, the Planning Commission approved plans for development of three homes on three lots, adjacent to the subject site. The new homes are similar to the existing two-story homes in the neighborhood. It is staff's recommendation to support the previous approvals by the Planning Commission.

According to CMC Section 9182.3 Nonconforming Residential Density:

An application for a conditional use permit shall be submitted within a five (5) year period of the effective date of the ordinance codified in this Section or prior to the termination of the amortization period, whichever provides the greater amount of time.

Since CMC Section 9182.3 Nonconforming Residential Density became effective September 2014, the applicant has until September 2019 to address the appropriate parking and development standards. Staff offered to close the current PRA and provide an additional five years to submit. However the applicant decided not to accept, citing her interest in reducing her current mortgage interest rate on the property.

Staff does not support the three single-family residential units on the subject property because the site is not adequate in size, there are insufficient front and rear setbacks, there is inadequate parking, and the existing three units will be incompatible with existing and future development.

Required Findings: Multiple Single-Family Rental Units

Pursuant to Section 9172.21, 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 water supply for fire protection.
4. The proposed use and development will be compatible with the intended character of the area.

As outlined in the attached resolution, the above findings cannot be made; therefore, staff is recommending denial without prejudice to allow the applicant to re-apply for the same permits.

Planning Commission Staff Report
November 25, 2014
CUP No. 959-14



IV. Recommendation

That the Planning Commission:

DENY Conditional Use Permit No. 959-14; and

WAIVE further reading and **ADOPT** Resolution No. 14-___, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING WITHOUT PREJUDICE APPROVAL OF CONDITIONAL USE PERMIT NO. 959-14 TO LEGALIZE THREE EXISTING UNITS IN THE RS ZONE LOCATED AT 630, 632 and 634 EAST LINCOLN STREET."

V. Exhibits

1. Site Map
2. Development Plans
3. Design Overlay Review No. 1001-07 and Variance No. 500-07
4. Design Overlay Review No. 1339-09 and Variance No. 507-09
5. Property Remediation Report dated May 14, 2014
6. Draft Resolution

Prepared by: _____

Richard A. Rojas, AICP, Associate Planner

Reviewed and Approved by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Saied Naaseh, Planning Manager



630 E Lincoln Street, Carson, CA



EXHIBIT NO. 01





CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 17, 2007

SUBJECT: Design Overlay Review No. 1001-07, Variance No. 500-07

APPLICANT: Doug Maupin
2531 W. 237th Street, Suite 124
Torrance, CA 90505

REQUEST: To construct seven new, 2-story, 1,839 square-foot, single-family homes on seven adjacent, 25-foot wide lots within the RS (Residential, Single-Family) zone. The Variance request is to permit less than the required side yard setback for the easternmost property (Carson Municipal Code Section 9126.24).

PROPERTIES INVOLVED: 628-638 E. Realty Street, 24007 Broad Street

COMMISSION ACTION

☒ Concurred with staff

☐ Did not concur with staff Commissioner Cannon moved, seconded by Commissioner Verrett, to concur with staff recommendation, thus adopting Resolution No. 07-2162. Motion carried (absent Chairman Faletogo).

☐ Other

AYE	NO		AYE	NO	
Absent		Chairman Faletogo	✓		Graber
✓		Vice-Chair Hudson	✓		Saenz
✓		Cannon	✓		Verrett

I. Introduction

Date Application Received

- April 25, 2004: Design Overlay Review No. 1001-07; August 1, 2007: Variance No. 500-07

Applicant/ Property Owner

- Doug Maupin, 2531 W. 237th Street, No. 124, Torrance, CA 90505

Project Addresses

- 628-638 E. Realty Street, 24007 Broad Street

Project Description

- To construct seven new, 2-story, 1,839 square-foot, single-family homes on seven adjacent, 25-foot wide lots within the RS (Residential, Single-Family) zone. A Variance from Section 9126.24 of the Carson Municipal Code (CMC) is requested for the corner house so that the eastern side yard setback along Broad Street may be permitted with less than the required 6-feet (20 per cent of lot width), when facing a public right-of-way.

II. Background

Previous Uses of Property

- On one of the lots there are three units built in 1959 that are existing non-conforming with respect to residential density. Only one house is allowed per lot on lots of this size in the RS zone. On the corner lot (24007 Broad Street), there is an existing industrial building constructed in 1952, with currently non-conforming front and side yard setbacks and use. The previous owner used this building to assemble bicycles, including welding and other light industrial processes which are not permitted in the RS zone. The other lots are vacant. The applicant intends to demolish all existing structures on the subject properties.

Previously Approved Discretionary Permits

- None.

Public Safety Issues

- There have been numerous past zoning code enforcement cases and sheriff's actions associated with the existing buildings and uses on the subject properties.

III. Analysis

Location and Site Characteristics

- The subject properties are comprised of seven, 25-foot wide by 125-foot deep lots (3,125 square-feet, or 0.07 acre), which are located on the south side of Lincoln Street, south of Sepulveda Boulevard, west of Broad Street, and east of Avalon Boulevard.

- The subject properties are within a residential, single-family neighborhood, consisting of like-sized lots and housing styles that are similar in size and shape to the proposed houses. There are light industrial developments to the east, across Broad Street.

Zoning/General Plan/Redevelopment Area Designation

- The subject properties are zoned RS (Residential, Single-family) with all adjacent properties sharing the same zoning designation, except to the east across Broad Street which are zoned ML (Manufacturing, Light).
- The subject properties have a General Plan Land Use designation of Low Density Residential, which is consistent with the zoning designation for the above mentioned properties.
- The subject properties are within the Merged and Amended Redevelopment Project area.

Project Details

- Each house features a two-car garage at the front with access from Lincoln Street, and all floor plans are identical. The first floor has a living room, dining room, kitchen with a pantry, and one-half bath. The second floor houses a laundry room, den, and all three bedrooms, including the master suite with a walk-in-closet and master bath. The den could potentially be used as a fourth bedroom. A balcony which overlooks the front of the property is accessible from the den.
- All roofs are composed of composition shingles, with varying colors to complement the house and trim colors of each house.
- There are three main front elevation designs, which differ in roof lines, balcony styles, base trim (pre-cast brick and/or flagstone veneers), window trim (foam accents, shutters) and styles (rounded and square, sashes and sliders), colors ranging from off-white, beige, and brown, and garage door styles.
- There are a total of four driveways proposed for the project, with each taking access from Lincoln Street. The easternmost property at 24007 Broad Street will have its own driveway, and three groups of two houses will each have a shared driveway. Staff has consulted with the City Traffic Engineer, who deems this scheme safe and effective.
- The applicant is proposing to improve the corner with an ADA-compliant curb cut and ramp and offer an irrevocable dedication of front-yard area for future widening of Lincoln Street (see *Issues of Concern* for further information).
- The houses are designed such that the windows located on opposite-facing walls will not directly face one another.
- A 6-foot high concrete-masonry unit wall is proposed for the perimeter of the seven new homes. A white, vinyl fence is proposed for the property lines between the homes at a maximum height of six-feet beyond the front yard setback.

Required Findings: Design Overlay Review No. 1001-07; Variance No. 500-07

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

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

All of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" can be made in the affirmative, except for (e), thus the Variance request. Details can be found in the attached Resolution.

Issues of Concern/Proposed Condition/Change: Design Overlay Review No. 1001-07

- Issue: Right-of-way dedication requirement. The Engineering Division requires that a 10-foot area along the north property line be dedicated to the City for future street-widening along Lincoln Street.
 - Mitigation: A condition of approval has been added to exhibit "B" of the attached resolution which states a requirement for street dedication recordation prior to the issuance of final occupancy for the proposed houses.

Required Findings: Design Overlay Review No. 1001-07; Variance No. 500-07

CMC Section 9172.22 states a variance "shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification."

All of the required findings pursuant to Section 9172.22, "Variance" can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern/Proposed Condition/Change: Variance No. 500-07

- Issue: The proposed street-facing side yard setback for the easternmost property (24007 Broad Street) is three feet, which is three feet less than the required six-foot setback for side yards along a street (Section 9126.24 of the CMC).
 - Remediation: Staff believes special circumstances are applicable to the easternmost subject property, in terms of lot width. Staff supports the Variance request and recognizes the difficulties of constructing a very narrow house. Under strict code-compliance the house construction would be nearly impossible as only a 16-foot width could be obtained.

IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), Article 19, Section 15332, In-fill Development Projects, the proposed development of the new single-family residential homes on seven adjacent lots is deemed "Categorically Exempt".

V. Recommendation

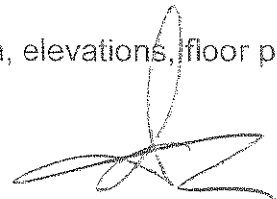
That the Planning Commission:

- **Approve** the Categorical Exemption;
- **Approve** Design Overlay Review No. 1001-07 and Variance No. 500-07;
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson Approving Design Overlay Review No. 1001-07 for the Construction of Seven 2-Story, 1,839 Square-Foot, Single-Family Homes on Seven Adjacent 25-Foot Wide Lots Located At 628-638 Lincoln Street and 24007 Broad Street, and Variance No. 500-07 to Allow for Less Than the Required Side Yard Setback for 24007 Broad Street."

VI. Exhibits

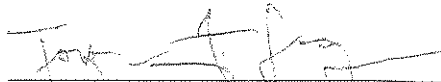
1. Draft Resolution for DOR No. 1001-07 and Variance No. 500-07
2. Land Use Map
3. Site plan, elevations, floor plans (under separate cover)

Prepared by:



Steven Newberg, AICP, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Manager

SN: srDOR1007-07, VAR500-07



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 12, 2010

SUBJECT: Design Overlay Review No. 1339-09
Variance No. 507-09

APPLICANT: Doug Maupin
2531 W. 237th Street, Suite 124
Torrance, CA 90505

REQUEST: To reauthorize the construction of seven new, 2-story, 1,839 square-foot, single-family homes on seven adjacent, 25-foot wide lots within the RS (Residential, Single-Family) zone.

PROPERTY INVOLVED: 628-640 E. Lincoln Street and 24007 S. Broad Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Gordon			

EXHIBIT NO. 04

I. **Introduction**

On September 17, 2007, the Planning Commission approved Design Overlay Review (DOR) No. 1001-07 and Variance (VAR) No. 500-07 to construct seven new, 2-story, 1,839 square-foot, single-family homes on seven adjacent, vacant, 25-foot wide lots at 628-640 E. Lincoln Street and 24007 S. Broad Street. Due to financial hardships and a change in the market conditions, the applicant, Doug Maupin, was unable to utilize the entitlements prior to expiration. The current application for DOR No. 1339-09 and VAR No. 507-09 is for the same project that was approved by the Planning Commission in 2007.

II. **Background**

On September 17, 2007, the Planning Commission approved the following discretionary permits (Exhibit No. 3 and Exhibit No. 4):

- Design Overlay Review No. 1001-07 – To construct seven new, 2-story, 1,839 square-foot, single-family homes on seven adjacent, 25-foot wide lots;
- Variance No. 500-07 – Request to deviate from Section 9126.24 of the Carson Municipal Code (CMC) which requires a six-foot-wide side yard setback on the street side of a 25-foot-wide corner lot. The variance request is to reduce the side yard setback to three (3) feet.

In September 2008, the applicant applied for an extension of time because of the struggling housing market and the difficulty in securing construction loans. The Planning Commission granted an extension of time until September 17, 2009. Subsequently, the approvals expired because no building permits were issued for the project due to a lack of improvement in the housing market.

The current application is for the same project as the 2007 proposal. Recognizing positive developments in the housing and security markets, the applicant wishes to pursue the project and is requesting that the Planning Commission once again grant approval.

III. **Analysis and Findings**

The project design and proposed use has not changed from the originally approved plans. Therefore, the same findings can be made. Planning Commission Resolution No. 07-2175 has been included for your reference.

IV. **Environmental Review**

Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), the urban infill construction of the seven new homes on 25-foot wide lots is categorically exempt.

V. **Recommendation**

That the Planning Commission:

- **APPROVE** the Categorical Exemption;

- **APPROVE** Design Overlay Review No. 1339-09 and Variance No. 507-09, subject to the conditions of approval attached as Exhibit "B" to the Resolution; and,
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A Resolution of the Planning Commission of the City of Carson approving Design Review No. 1339-09 and Variance No. 507-09 for construction of seven new single-family homes on seven separate 25-foot wide lots located in the RS (Residential, Single-family) located at 628-640 E. Lincoln Street and 24007 S. Broad Street."

VI. Exhibits

1. Land-Use Map
2. Draft Resolution
3. Planning Commission Staff Report Dated September 17, 2007 (without exhibits)
4. Planning Commission Minutes Dated September 17, 2007
5. Planning Commission Resolution No. 07-2175
6. Development Plans

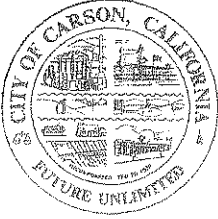
Prepared by:

Steven Newberg, AICP, Associate Planner

Reviewed and Approved by:

Sheri Repp-Loadsman, Planning Officer

SN: d133909, v50709p



CITY OF CARSON

701 East Carson Street, Carson, California 90745

PROPERTY REMEDIATION AGREEMENT Carson Municipal Code Section 5909 (c)

THIS AGREEMENT is made as of May 15, 2014, by and between the City of Carson, a body corporate and politic ("City") and Mountain View Enterprises LLC ("Buyer").

RECITALS

A. Buyer intends to purchase that certain real property, located within City's territory, commonly known as 630 East Lincoln Street ("the Property").

B. Buyer has received from the owner of the Property a City-prepared residential property report identifying certain code violations existing at the Property ("the Residential Property Report"). A copy of the Residential Property Report is attached hereto as Exhibit "A" and incorporated herein by this reference.

C. In accordance with Carson Municipal Code Section 5909 (c), Buyer desires to assume responsibility for correction of the code violations identified in the Residential Property Report. City consents to Buyer's assumption of such responsibility under the terms of this Agreement.

D. City and Buyer have negotiated a compliance schedule imposing deadlines for correction of the code violations identified in the Residential Property Report ("the Compliance Schedule"). A copy of the Compliance Schedule is attached hereto as Exhibit "B" and incorporated herein by this reference.

NOW, THEREFORE, in consideration of performance by the parties of the Promises, covenants, and conditions herein contained, the parties hereto agree as follows:

1. **Provision of Performance Security.** Upon execution of this Agreement, Buyer shall provide City with a performance security in the amount of \$10,000.00 to be held in an escrow account. With this security, Buyer assures faithful performance of Buyer's promise to correct the code violations identified in the Residential Property Report in accordance with the deadlines imposed by the Compliance Schedule. Buyer and City agree that the purposes of the performance security are to serve as an incentive to Buyer to complete the corrections in a timely manner, and to reimburse City for its code enforcement costs in the event that Buyer fails to do so. Buyer and City further agree that the



amount of the performance security is reasonable, under the circumstances existing at the time of execution of this Agreement, to achieve these purposes.

2. Opportunity to Correct Violations. Buyer acknowledges that the Compliance Schedule affords Buyer a reasonable opportunity to correct the code violations identified in the Residential Property Report. Nothing in this Agreement is intended to preclude, or shall be interpreted as precluding, City from commencing code enforcement proceedings against Buyer based upon any code violation now existing or that subsequently occurs at the Property.

3. Admission of Code Violations. Buyer has reviewed the attached Residential Property Report and acknowledges that the conditions described therein exist as reported, and that such conditions constitute violations of the Carson Municipal Code for which there is no legal affirmative defense. Buyer understands that the admissions made in this paragraph are irrevocable. Buyer understands and acknowledges that he/she may be subject to City-initiated civil or criminal legal action if said violations are not corrected and written approval of such corrections issued by the City within the times set forth in the Compliance Schedule at Exhibit "B", and that, if such legal action commences the admissions made in this paragraph shall be used against Buyer. Buyer further acknowledges that he/she has consulted his/her attorneys, or was given a full opportunity to consult his/her attorneys, before making the admissions in this paragraph, and by executing this Agreement, Buyer is knowingly, voluntarily, and freely waiving any right to later challenge said admissions.

4. Release of Performance Security. City shall release the performance security to Buyer within 20 days of Buyer's correction of the code violations identified in the Residential Property Report in accordance with the Compliance Schedule

5. Forfeiture of Performance Security. Buyer shall forfeit the performance security to City in the event that Buyer fails to correct the code violations identified in the Residential Property Report in accordance with the Compliance Schedule. Any amount of the performance security forfeited in excess of the City's code enforcement costs and attorneys' fees incurred to secure compliance with such code violations shall be returned to Buyer. The City further reserves the right to seek reimbursement of any additional code enforcement costs and attorneys' fees against Buyer incurred by City as a result of any criminal or civil proceeding for violations identified in the Residential Report or violations discovered after the date of the Residential Property Report.

6. Entire Agreement. This Agreement, together with Exhibits "A" and "B" incorporated herein by specific reference, represents the entire and integrated agreement between City and Buyer. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations,

arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

"City"

CITY OF CARSON

Staff Signature

John F. Signo, AICP
Acting Planning Manager

"Buyer"

John F. Bazan for Mountain View
Enterprises LLC

Buyer's name, (printed)

Buyer's signature

ACKNOWLEDGMENT

State of California

County of LOS ANGELES

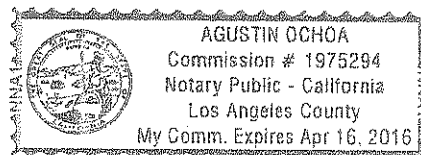
On MAY 14th, 2014 before me, AGUSTIN OCHOA, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared JOHN F. BAZAN
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] (Seal)





City of Carson
Division of Building and Safety
701 E. Carson St., Carson California 90745
(310) 952-1766

PROOF OF DELIVERY / ACKNOWLEDGEMENT LETTER

Tuesday, May 13, 2014

Fannie Mae
313 W. Carson St
Carson, CA 90745

Subject Property: **630 E Lincoln St , Carson, CA**
Assesor's Info: **7404-014-069**

Dear Property Owner,

Attached is the Residential Property Report for the subject property.

The Residential Property Report Ordinance requires that, "Within ten (10) City business days after the transfer of title or conveyance of ownership for residential real property, the owner(s) of such property shall file with the Community Development Department written proof that a copy of a valid residential property report for such property has been provided to the buyer."

This requirement will be satisfied if the form at the bottom of this page is completed and returned to the following address:

City of Carson
Division of Building and Safety
P.O. Box 6234
Carson, CA 90749

Please call Inspector Sumpter at (310) 952-1766 should you have any questions. Inspector's office hours are Monday - Thursday from 7:00 A.M. - 8:30 A.M.

DETACH AND RETURN THE LOWER PORTION PER THE ABOVE INSTRUCTIONS

BUYER'S ACKNOWLEDGEMENT - Reciept of Residential Property Report

I hereby acknowledge under penalty of perjury that I have received a copy of the City of Carson's residential property report for the property located at 630 E Lincoln St , Carson, CA. I also acknowledge that the issuance of the report is not a representation by the City of Carson that this property is in compliance with all applicable laws.

Buyer's signature: _____

Date: _____

Buyer's name printed: _____



Residential Property Report *Notice of Required Corrective Action*

Tuesday, May 13, 2014

To Whom It May Concern:

This report is prepared pursuant to the City of Carson Residential Property Ordinance which requires that no owner of residential real property shall transfer title and/or convey ownership for such property without first providing the prospective buyer with a copy of a valid residential property report (RPR) for the property.

This report covers only those items, which are open and visible. This report does not guarantee the condition of any equipment, appliance, structures or building element nor does this report relieve the disclosure responsibilities of the seller or agent as required by law. Approval of this report shall not be construed as an approval of any violation of the City ordinances or other applicable building regulations. Any code violations beyond the scope of the RPR inspection remain the responsibility of the owner to correct.

The owner and each successor in interest to the property, which is the subject of this report, shall defend, indemnify and hold harmless the City of Carson and its employees, officers and agents from any claims, proceedings, losses, costs, damages or actions of any kind that may arise from the use of or reliance upon this report.

The following information is provided pursuant to same ordinance:

Subject Property: **630 E Lincoln St , Carson, CA**

Assesor Number: **7404-014-069**

Zoning Classifications: **RS**

Permitted Occupancy: **R1**

Description of Building: **3 units**

Entitlements: **None**

Special Restrictions: **None**

Attached is a list of building permits on record and a list of corrections regarding violations that were found at the subject property during inspection(s) by Building and Safety staff. A release is hereby authorized by the undersigned due to:

Buyer has agreed to assume responsibility and has an approved Property Remediation Agreement. Another release will be required.

INSPECTOR

Sumpter

Date

Release w/ Stipulations

Exhibit A



RESIDENTIAL PROPERTY REPORT

Release w/ Stipulations - Attac

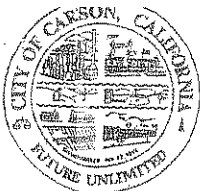
Building Permits:

5549	5/14/1959	Dwelling & attached garage
5388	5/14/1959	1000 sqft dwelling and attached garage
BL0101250053	1/26/2001	Reroof house and garage
5359	5/16/1959	800 sqft dwelling
BL0103060032	3/7/2001	Tear off 2 layers to deck
5390	5/14/1959	800 sqft dwelling
BL0103060033		Reroof:EXPIRED

Corrections / Violations:

Corrections Require	Violation Abated	Inspector
ELECTRICAL		
67 Exposed romex not allowed.	<input type="checkbox"/> 07/25/2013	Sumpter
GARAGE		
13 No openings allowed in fire rated wall.	<input type="checkbox"/> 07/25/2013	Sumpter
MISC		
123 Conditional Use Permit (CUP) required.	<input type="checkbox"/> 07/25/2013	Sumpter
124 See list of corrections.	<input type="checkbox"/> 07/25/2013	Sumpter
60 Submit plot plan showing dimensions of lot, yard set backs and interior rooms to Planning Division for approval prior to getting permit for work done.	<input type="checkbox"/> 07/25/2013	Sumpter
WATERHEATER		
73 Earthquake straps required at the upper and lower thirds of water heater.	<input type="checkbox"/> 07/25/2013	Sumpter
88 T&P valve shall drain to an approved location pointing downwards 6"-24" above grade.	<input type="checkbox"/> 07/25/2013	Sumpter





RESIDENTIAL/ PROPERTY REPORT CORRECTIVE CHECK LIST

Approval of the Residential Property Report (RPR) will be granted only after all correction(s) are verified by the City's building inspector. The seller is responsible to correct all violation(s) identified by the building inspector. Title shall not transfer until a valid RPR document is obtained by the seller.

Page 1 of 2

Property Address: 630-632-634 Lincoln St

GARAGE

- ☐ Garage converted into living quarters is not approved. Garage must be restored to its original use and made accessible for automobile storage.
- ☐ Remove all interior walls within the garage. The alteration is unpermitted and must be removed or made to comply with existing codes.
- ☐ Remove carpet from garage floor.
- ☐ Remove combustibles from firewall (wood paneling, etc).
- ☒ No holes allowed in firewall between house and garage. Repair with 5/8" Type X drywall.
- ☐ Door between house and garage must be a 1-3/8" solid core door with a self-closing device and locking latch or 2 spring loaded hinges.

☒ Replace all missing light fixtures

PERMITS REQUIRED

- ☒ Building permit is required to legalize or demolish existing/unpermitted:
- | | | | |
|--|--|--|--|
| <input type="checkbox"/> bathroom. | <input type="checkbox"/> enclosed patio. | <input type="checkbox"/> open patio cover. | <input type="checkbox"/> shed. |
| <input type="checkbox"/> carport. | <input type="checkbox"/> front porch. | <input type="checkbox"/> room addition. | <input type="checkbox"/> addition to detached structure. |
| <input type="checkbox"/> detached structure. | <input type="checkbox"/> laundry room. | <input checked="" type="checkbox"/> <u>Open Garage Ceiling to Original</u> | |

Note: All unpermitted additions or additions with expired permits must comply with present day code or shall be removed.

- ☐ Submit site plan to the Planning Division at City Hall showing existing conditions and all proposed work. Planning approval is required prior to any permits being issued.
- ☐ Building plan check approval will be required. Submit plans to the Building and Safety Division at City Hall.
- ☐ Obtain property permit history and diagrams from the Assessor's office. There appears to be a few additions and/or structures built without permits. (Assessor's office is located at 1401 E. Willow St. in Signal Hill.)

☒ CUP Required for above property
(1st Unit Must be Demo See Planning Dept.)

SECURITY BARS

- ☐ Security bars on bedroom windows shall release from the inside without the use of a key or special knowledge or effort.
- ☐ Emergency release devices on bedroom security bars must be demonstrated to be operable. Repair or remove.

☒ Also See letter dated 9/20/12 RE: Terminated
Legal, Non-Conforming Structures, Electrical Outlets.

ELECTRICAL

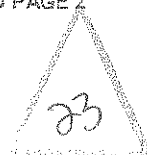
- ☐ GFCI protection is required for outdoor receptacles. Weather tight cover plates are also required.
- ☐ GFCI protection required for spa.
- ☒ GFCI protection required for garage receptacles.
- ☒ Electrical permit required for all work.
- ☐ GFCI protection required for enclosed patio.
- ☒ Remove illegal/unpermitted electrical work or bring to code. Permit required.

☒ Bring Electrical panel up to code Remove
Electrical Cords

WATER HEATERS

- ☐ Water heater T&P valve shall drain to an approved location pointing downward 6"-24" above grade.
- ☒ Water heater must drain outside of building pointing downward 6"-24" above grade.
- ☒ Plastic pipe not approved for T&P relief valve discharge. Use copper piping, galvanized steel or other approved pipe.
- ☒ Earthquake straps required at the upper and lower thirds of water heater.
- ☐ Type B vent required for water heater (outside location).

GO TO PAGE 2



**RESIDENTIAL PROPERTY REPORT CORRECTIVE CHECK LIST**

Approval of the Residential Property Report (RPR) will be granted only after all correction(s) are verified by the City's building inspector. The seller is responsible to correct all violation(s) identified by the building inspector. Title shall not transfer until a valid RPR document is obtained by the seller.

Page 2 of 2

Property Address: 630-630-634 Lincoln St**WATER HEATERS** (continued from page 1)

- ☒ Water heater vent shall extend 24" above the roof line.
- ☒ Water heater vent requires 1" or more clearance from combustible materials. (See listing/manufacture's specifications.)
- ☐ Water heater shall be installed at least 18" above finished floor of garage.
- ☐ Water heater requires a flexible gas connector.
- ☐ Water heater compartment requires upper & lower combustion air openings.
- ☒ Install gas shut off valve ahead of flexible gas connector.
- ☒ Install shut off valve at cold water supply piping to water heater.
- ☐ Watts 210 valve is required on water heater. Pressure relief valve required on the main cold water line ahead of hose bib.
- ☐

PLUMBING

- ☐ Remove illegal or non-complying plumbing and cap off.
- ☐ Remove illegal or non-complying gas line and cap off
- ☐ Plumbing permit required for all work. ☐ Plastic piping is not allowed for drainage.
- ☐

SWIMMING POOLS/SPAS

- ☐ CPR and 911 signs are required near pool/spa area.
- ☐ Gates and doors leading into pool/spa area are required to have battery operated alarms.
- ☐ Gates leading into pool/spa area must be self-closing and self-latching. Latch must be a minimum of 4 feet above the surface or ground.
- ☐ Spas must have a lockable cover. ☐ Spas must meet 5' set back requirement from property line.
- ☐ Submit site plan to the Planning Division for approval or remove spa. Electrical permit required.
- ☐

MISCELLANEOUS

- ☒ Repair broken window. ☐ Emergency egress is required for one window in each bedroom.
- ☐ Remove storage from yard area: ☒ Provide house numbers on dwelling that are visible from the street.

Dwelling Units must be in habitable condition, stove, sink

DUE TO THE NATURE OF CODE VIOLATIONS, ADDITIONAL CORRECTIONS MAY BE REQUIRED UPON REINSPECTION.

Please call (310) 952-1766 for reinspection after all corrections have been completed.

Appointments are made by office staff. City Hall business hours are Monday – Thursday from 7:00 am – 6:00 pm.

Inspector's office hours are Monday – Thursday from 7:00 am – 8:30 am.

Inspector's Signature [Signature]Date 7/25/13

IMPORTANT - PLEASE READ: The purpose of this inspection is to discover conditions which may be a hazard to life safety. This report covers only those items which are open and visible. This report does not guarantee the condition of any equipment, appliance, structures or building element nor does this report relieve the seller and the agent's disclosure responsibilities as required by law.

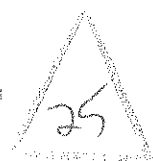


COMPLIANCE SCHEDULE
per property remediation agreement for
630 East Lincoln Street
dated May 15, 2014

Below is the compliance schedule for corrections of code violations identified at the above address:

Correction Required:	Number of Days Given to Comply:	Required Date of Compliance:
Submit 3 sets of site plans to the Planning Division showing existing conditions and all proposed work. Plans must be approved by Planning staff prior to obtaining building permits.	14	May 29, 2014
Submit application, all required materials and associated fees for any discretionary permits determined by Planning staff to correct all violations noted in the residential property report checklist and to bring the subject property into conformance with the Carson Municipal Code.	14	May 29, 2014
Obtain decision from the Planning Commission regarding all required discretionary permits.	90	August 29, 2014
Obtain all appropriate building permits from the Building and Safety Division to correct all violations noted in the residential property report checklist and bring the property into conformance with the Carson Municipal Code.	120	September 29, 2014
Correct all violations and finalize all permits with final sign off from Planning staff and the Building Inspector.	Not to exceed 210 days from the date of this agreement	TBD

Exhibit B



IMPORTANT NOTE: At the completion of this Compliance Schedule, a reinspection must be done by a Building and Safety Official specifically to ensure that all corrections were made in accordance with the Residential Property Report. Once the corrections are verified, a release will be given so that funds held in escrow as performance security will be released.

Exhibit B



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 14-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON DENYING WITHOUT PREJUDICE
CONDITIONAL USE PERMIT NO. 959-14 FOR THREE EXISTING
NONCONFORMING SINGLE-FAMILY UNITS IN THE RS ZONE
LOCATED AT 630, 632, 634 EAST LINCOLN STREET**

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

Section 1. An application was duly filed by the applicant/property owner, Stephanie Dillard, with respect to real property located at 630, 632, and 634 E Lincoln St, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 959-14 to legalize three existing nonconforming residential units in the RS (Residential Single-Family) zoning district.

A public hearing was duly held on November 25, 2014, 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 not compatible with the General Plan land use designation for the property of Low Density Residential. The proposed use will not be consistent with the surrounding residential uses. Thus, the proposed use is appropriate for the subject property.
- b) The project is not 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 not 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 residential uses. The site is approximately 6,500 square feet and is located in a residential area.
- e) The proposed CUP application for three existing nonconforming units does not meet the goals and objectives of the General Plan and would not be consistent with applicable zoning and design. Therefore all of the required findings pursuant to Conditional Use Permit Section 9172.21 (D) cannot be made in the affirmative.

EXHIBIT NO. 06



Section 4. Pursuant to Section 15301(d) of the California Environmental Quality Act (CEQA) Guidelines, the proposed project does not have the potential for causing a significant effect on the environment since the project contains existing facilities.

Section 5. Based on the aforementioned findings, the Commission hereby denies Conditional Use Permit No. 959-14 with respect to the property described in Section 1 hereof.

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, DENIED AND ADOPTED THIS 25TH DAY OF NOVEMBER 2014

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF LOS ANGELES AND STATE OF CALIFORNIA BEING KNOWN AND DESIGNATED AS FOLLOWS:

LOTS 23 AND 24 OF BLOCK 5 OF FACTORY CENTER, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 23 PAGES 18 AND 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDED OR SAID COUNTY.

630, 632, 634 E. LINCOLN STREET, CARSON, CA

