



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: February 24, 2015

SUBJECT: Conditional Use Permit No. 962-14
Variance No. 554-14

APPLICANT: Car Pros Kia of Carson
c/o: Mr. Ken Phillips
21243 S. Avalon Boulevard
Carson, CA 90745

REQUEST: To consider the relocation of an electronic message center pylon sign and allow a second freestanding pylon sign for an automobile dealership located in the CA (Commercial, Automotive) zoning district

PROPERTY INVOLVED: 22020 Recreation Road

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Faletogo			Gordon
		Vice-Chair Piñon			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Goolsby			

I. Introduction

Property Owner/Applicant

- Ken Phillips, 18835 Beach Boulevard, Huntington Beach, CA 92648

Project Address

- 22020 Recreation Road, Carson, CA 90745

Project Description

The proposed project is for a conditional use permit to relocate and refurbish the existing Altman's freeway-oriented electronic message center pylon sign. The applicant is proposing to move the sign to its proposed location approximately 330 feet to the northwest and adjacent to the main entrance of a new Car Pros Kia dealership. The proposed sign will be refurbished including: re-facing the existing ID cabinet with white flex faces that will read "Car Pros" with the KIA logo; refurbish existing lighting; refurbish existing "City of Carson" letters with new blue acrylic back-up; repaint existing cabinet; replace existing LED boards and cabinet and replace with new LED displays; refurbish and paint pole cover and reveals. The proposed sign will be approximately 50 feet high above grade, and approximately 30 feet above freeway grade. It will have approximately 342 square feet of display image per side. In addition, the proposed relocated sign would operate as follows:

1. No motion, flashing or animation;
2. Messages are to remain static for a minimum of 8 seconds prior to next message appearing (no blank in-between messages);
3. Message transition to be instant;
4. Automatic diming and brightness control keyed to ambient light levels;
5. Brightness to be 3,500 candelas per square meter during daytime and 600 at night;
6. Hours of operation will be from 5:00 a.m. to midnight; and
7. Display to go dark if a malfunction occurs.

A variance request is necessary because the relocated sign will be the second freeway-oriented pylon sign on the property. Per Section 9138.15(E)(3)(e) of the Carson Municipal Code (CMC) there can only be one freeway-oriented pylon sign per dealership.

The application includes the following:

- Conditional Use Permit (CUP) No. 962-14, required to relocate and refurbish a 50-foot-high LED (low energy/high resolution) electronic message center pylon sign along the 405 Freeway frontage.
- Variance No. 554-14, to permit a second freeway-oriented pylon sign for the KIA dealership to enhance freeway visibility. Section 9138.15(E)(3)(e) of the CMC only allows one freeway-oriented pylon sign per dealership.



II. Background

Current Use of Property

The 5.9 acre site was formerly used by the Altman's recreational vehicle dealership, which closed a few years ago. It was developed with sales office buildings and parking areas. The buildings have since been demolished and construction has commenced on the new Kia automobile dealership.

Previously Approved Discretionary Permits

On April 22, 2014, the Planning Commission approved: DOR No. 1530-14 for construction of a new 64,784-square-foot Car Pros Kia Dealership; CUP No. 950-13 to construct a Kia dealership car-wash; CUP No. 951-13 to construct a 65-foot-high LED electronic message center pylon sign along the 405 Freeway; and Variance No. 549-14 so that the electronic message center sign can exceed the maximum height of 30 feet from freeway grade to enhance freeway visibility. Condition No. 21 for CUP No. 951-13 stated that the proposed digital LED display pylon sign shall be at least 500 feet from any other electronic message center sign in compliance with CMC 9136.7B.8. Further, the existing Altman pylon sign was not approved and was to be removed unless development standards were satisfied.

History

On January 27, 2014 the Planning Commission continued CUP No. 962-14 and Variance No. 554-14 to the February 24, 2014 Planning Commission meeting. These continuances were needed to allow the applicant more time to provide information to staff to justify their Variance request. Staff's original recommendation was to deny the applicant's request since the finding for approval of a Variance could not be made based on the information submitted by the applicant.

III. Analysis

Automobile dealerships rely on freeway and street exposure to build a successful business model. Therefore, it is critical for them to have sufficient signage to advertise their cars. To facilitate the need to provide this exposure, the CMC permits one freeway oriented sign at the rear of the property and one pylon sign at the street frontage. Since the proposed dealership site is located between the freeway and the creek without a street fronting the dealership, CMC only permits one freestanding sign for the dealership.

The applicant has filed Variance No. 554-14 to permit a second freeway-oriented pylon sign to enhance the visibility of the dealership. The Variance is a request to deviate from Section 9138.15(E)(3)(e) of the CMC that allows one freeway-oriented pylon sign per dealership. The applicant has provided justification for the approval of the Variance and has also agreed to remove the billboard at the southerly end of the site. Staff has reviewed the proposed justification and has determined together with the removal of the billboard, staff can recommend approval of the Variance and CUP applications.



I-405 Visual Clutter

Issue

The visual clutter created by billboards, freestanding signs, and other signage along I-405 corridor continues to be staff's concern. Prior to approval of the Kia dealership, the site included three (3) freestanding signs including two billboards and the Altman's sign.

Mitigation

The applicant has removed one 60-foot-high double-faced billboard structure which was necessary in order to install the approved 65-foot-high LED electronic message center pylon sign. The applicant has also agreed to remove the remaining billboard at the southerly end of the subject property, refer to Condition of Approval No.13. This condition of approval requires the applicant to remove the remaining billboard prior to issuance of building permits for the second LED message board pylon sign. The applicant is in agreement to said condition of approval. The removal of the remaining billboard would reduce the proliferation of billboards and freestanding signs along the I-405 corridor in Carson. Staff considers the reduction of two billboards a benefit to the community as they advertise businesses outside the City. Furthermore, the overall number of freestanding signs and billboards for the site has been reduced from three (3) to two (2). These reductions have enabled staff to support the approval of the CUP.

Compliance Condition of Approval No. 21

Issue

Condition No. 21 states:

The proposed digital LED display pylon sign shall be at least 500 feet from any other electronic message center sign in compliance with CMC 9136.7.B.8. The existing pylon sign is not approved at this time and shall be removed unless development standards are satisfied.

Mitigation

The proposed second LED digital pylon display sign will be 550 feet from the previously approved LED sign. The existing pylon sign is being removed as part of this proposal. With the approval of the CUP and variance, all development standards are satisfied.

Consistency with Zoning Standards

Variance

The proposed project does not meet the requirement of Section 9138.15(E) (3) (e) that permits only one (1) freeway-oriented pylon sign per automobile dealership. The

applicant filed a variance to deviate from this requirement to allow two (2) freeway oriented signs for the Kia dealership. Pursuant to Section 9172.22, Variance, the Planning Commission may approve a variance only when the following finding can be made in the affirmative:

“Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.”

The applicant has submitted a justification letter stating that special circumstances do exist to justify variance approval, refer to Exhibit 2. The main points of this letter have been included below:

1. The property is extremely narrow due to the proximity to the Dominguez flood channel and 405 Freeway.
2. Property is located between the Dominguez flood channel and the 405 Freeway with one secluded entrance on one end of the property.
3. Because of its curvature and length it is difficult to identify an entrance from the freeway and find the dealership once at the end of the off-ramps.
4. The Kia dealership is not visible from the north bound I-405 exit at Carson Street.
5. Since the 405 Freeway lot exposure is from the front of the proposed auto dealership, the CMC Section 9138.15(E)(3)(e) provision of permitting only one (1) pylon sign per automobile dealership at the rear of the property facing the 405 Freeway does not apply since the lot is narrow, long, and does not have rear building facing the 405 Freeway.
6. And since other auto dealerships along the 223rd Street Auto Row corridor enjoy a freeway oriented sign plus a pylon sign along their public street frontage access which KIA auto dealership cannot enjoy at their present site.
7. Without second LED pylon sign drivers will miss Carson Street and exit on Wilmington and turn towards, other auto dealerships along 223rd Street (WIN Hyundai, WIN Chevrolet, Honda and Nissan).

Staff has met with the applicant several times and visited the site to evaluate applicant's justification for Variance. Staff concludes that the justifications provided by the applicant can be supported by staff. Staff has determined that there are special circumstances based on the size, shape, topography, location, and surroundings of the property that limit site visibility and accessibility to travelers and potential car buyers traveling on Freeway 405 and that the strict application of the zoning code requirements deprives such property of privileges enjoyed by auto dealerships in the vicinity.

Conditional Use Permit

The CMC requires approval of a CUP for LED digital displays. Therefore, certain findings would have to be made by the Planning Commission prior to approval. The findings are included in the resolution for approval of the project. Staff believes removing the existing billboard will greatly contribute to reducing the visual blight along the I-405 corridor that has resulted from numerous billboards, freestanding signs, and other signage. Therefore, the project is consistent with the intended character of the area and provides a community benefit in form of reduction of visual blight. This reduction makes this project compatible with the intended character of the area, justifying approval of the subject CUP application.

Summary

Staff is recommending approval of the proposed project since:

- Findings for a variance can be made;
- The dealership does not have adequate visibility to once travelers are at the off-ramp of the freeway;
- Other dealerships enjoy freeway oriented signs plus surface public street pylon signs;
- Other dealerships benefit from better freeway visibility and freeway access to than the KIA dealership;
- The dealership is not physically part of the "auto-row" and separated by I-405;
- The removal of the remaining southerly billboard will lessen the visual clutter of signs along the freeway corridor.

IV. Environmental Review

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the proposed project does not have the potential of causing a significant effect on the environment since the prior use was a vehicle sales facility, is consistent with the General Plan designation of Regional Commercial and is zoned CA (Commercial Automotive). Therefore, it is exempt from further environmental review.

Recommendation

That the Planning Commission:


- **Approve** CUP No. 962-14 and VAR No. 554-14; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____ **APPROVING** **CONDITIONAL USE PERMIT NO. 962-14 AND VARIANCE NO. 554-14 FOR A SECOND FREEWAY-ORIENTED ELECTRONIC MESSAGE CENTER PYLON SIGN FOR A KIA AUTOMOBILE DEALERSHIP TO BE LOCATED AT 22020 RECREATION ROAD.**



V. Exhibits

1. Draft resolution and conditions of approval
2. Applicant's justification letter for Variance No. 554-14
3. Excerpts from CMC Section 9138.15 (Commercial, Automotive (CA))
4. Development Plans(Under separate cover)

Prepared by:


Zak Gonzalez II, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Saied Naaseh, Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 962-14 FOR A NEW ELECTRONIC MESSAGE CENTER PYLON SIGN AND VARIANCE NO. 554-14 TO PERMIT A SECOND ELECTRONIC PYLON SIGN FOR A NEW KIA AUTOMOTIVE DEALERSHIP TO BE LOCATED AT 22020 RECREATION 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 representative, Rod Wilson, on behalf of the applicant/property owner Recreation Road LLC with respect to real property located at 22020 Recreation Road, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 962-14 for a new electronic message center (digital LED) pylon sign, and Variance No. 554-14 to permit a second electronic LED pylon sign for the new KIA dealership in the CA (Commercial, Automotive) zoning district.

Public hearings were duly held on November 25, 2014, continued to January 13 and January 27, 2015 and the matter was heard on February 24, 2015, at 6:30 P.M. at the Congresswoman Juanita Millender-McDonald Community Center, community halls A, B, and C, 801 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

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

Section 3. The Planning Commission finds that:

- a) The proposed use is compatible with the General Plan land use designation for the property of Regional Commercial. The proposed use will be consistent with the surrounding commercial uses. Thus, the proposed use is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development with approval of the variance requests. The proposed project is compatible with the surrounding commercial and heavy industrial uses. The site is approximately 5.9 acres, irregular narrow pie shape, and is located in a commercial area.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 962-14
VARIANCE NO. 554-14

GENERAL CONDITIONS

1. If a building permit for Conditional Use Permit No. 962-14, and Variance No. 554-14 is not issued within one year of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.

- d) Findings can be made to support the proposed second LED electronic message sign with conditions of approval for the public's health and safety.
- e) The proposed CUP application for a new digital LED display pylon sign meets the goals and objectives of the General Plan. The removal of an existing billboard on the subject property would lessen the visual clutter blight therefore enhancing the intended character of the area. An affirmative Variance finding can be made because of special circumstances applicable to the property due to the parcels irregular pie shape, the location of the property at the inside curve of the freeway impeding sign visibility. Further, the strict application of the CMC deprives the property of privileges enjoyed by other automotive dealerships in the area which enjoy the use of two pylon signs on their property under the identical zoning classification. The proposed project also meets CMC 9136.7 requirements of electronic message center signs being at least five hundred feet (500) from any other electronic message center sign. Therefore all of the required findings pursuant to Conditional Use Permit Section 9172.21 (D), and Variance 9172.22 (D), can be made in the affirmative.
- f) In addition, the following provides the unique features and special circumstances applicable to this property that justify approval of a Variance:
 - a. The property is extremely narrow due to the proximity to the Dominguez flood channel and 405 Freeway.
 - b. Property is located between the Dominguez flood channel and the 405 Freeway with one secluded entrance on one end of the property.
 - c. Because of its curvature and length it is difficult to identify an entrance from the freeway and find the dealership once at the end of the off-ramps.
 - d. The Kia dealership is not visible from the north bound I-405 exit at Carson Street.
 - e. Since the 405 Freeway lot exposure is from the front of the proposed auto dealership, the CMC Section 9138.15(E)(3)(e) provision of permitting only one (1) pylon sign per automobile dealership at the rear of the property facing the 405 Freeway does not apply since the lot is narrow, long, and does not have rear building facing the 405 Freeway.
 - f. Since other auto dealerships along the 223rd Street Auto Row corridor enjoy a freeway oriented sign plus a pylon sign along their public street frontage access which KIA auto dealership cannot enjoy at their present site.
 - g. Without second LED pylon sign drivers will miss Carson Street and exit on Wilmington and turn towards, other auto dealerships along 223rd Street (WIN Hyundai, WIN Chevrolet, Honda and Nissan).



Section 4. Pursuant to Section 15061(b)(3) 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 site was formerly used as a vehicle dealership and the proposed project would continue that same use. Furthermore, the project site is zoned CA (Commercial, Automotive) and the land use designation under the General Plan is Regional Commercial. The proposed use is consistent with both the zoning and land use designation and the environmental impact report prepared for the General Plan anticipated the proposed use with no further adverse impacts being generated.

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 962-14 and Variance No. 554-14 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 2015

CHAIRMAN

ATTEST:

SECRETARY

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LEGAL DESCRIPTION

EXHIBIT "A"

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

PARCEL 1:

LOT 1 OF TRACT 27833, AS PER MAP RECORDED IN BOOK 778 PAGES 68 TO 71 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, NAPHTHA, GAS, PETROLEUM OR OTHER HYDROCARBON SUBSTANCES DEPOSITED IN, LYING UNDER OR FLOWING THROUGH SAID LAND, AND ALL METALS AND MINERALS THEREIN OR THEREON, BUT WITH NO RIGHT OF SURFACE OR SUBSURFACE ENTRY, ABOVE A BELOW A DEPTH OF 500 FEET FROM THE PRESENT SURFACE OF THAT PORTION OF LOT 1 WITHIN LOT 40 AND PORTIONS OF LUCERNE STREET AND 220TH STREET THAT WOULD PASS WITH A CONVEYANCE OF SAID LOT 40 OF TRACT 4546, AS PER MAP RECORDED IN BOOK 50 PAGES 21 AND 22 OF MAPS, FOR THE EXTRACTION OF SAME, AS RESERVED BY ETHEL HADDOK, A MARRIED WOMAN IN DEED RECORDED SEPTEMBER 16, 1963 AS INSTRUMENT NO. 309 IN BOOK D2182 PAGE 356 OFFICIAL RECORDS.

APN(s): 7328-001-001

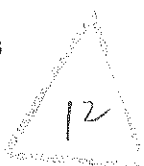
PARCEL 2:

THOSE PORTIONS OF LOTS 50 AND 51 OF TRACT 4546, AS PER MAP RECORDED IN BOOK 50 PAGES 21 AND 22 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING GENERALLY NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE MOST EASTERLY CORNER OF THE LAND DESCRIBED IN PARCEL 2 OF DIRECTOR'S DEED D7426.1, RECORDED MAY 2, 1967 IN BOOK D3631 PAGE 120 OF OFFICIAL RECORDS; THENCE ALONG THE GENERAL SOUTHERLY LINE OF SAID PARCEL 2 THE FOLLOWING THREE COURSES (1) SOUTH 89 DEGREES 50' 16" WEST 109.98 FEET; (2) NORTH 0 DEGREES 09' 44" WEST 11.00 FEET; (3) SOUTH 89 DEGREES 50' 16" WEST 9.69 FEET TO THE SOUTHERLY TERMINUS OF THAT COURSE DESCRIBED AS NORTH 00 DEGREES 09' 44" WEST 33.24 FEET IN SAID PARCEL 2; THENCE ALONG THE SOUTHERLY PROLONGATION OF LAST MENTIONED COURSE, SOUTH 00 DEGREES 09' 44" EAST 0.08 FEET TO THE EASTERLY CONTINUATION OF THAT CURVE DESCRIBED AS HAVING A RADIUS OF 1894 FEET AND A LENGTH OF 695.95 FEET IN THE GENERAL NORTHERLY LINE OF THE LAND DESCRIBED IN DEED ESTATES PARCEL 7439, RECORDED MARCH 22, 1960 IN BOOK D788 PAGE 546 OF SAID OFFICIAL RECORDS; THENCE WESTERLY ALONG SAID EASTERLY CONTINUATION OF SAID CURVE, FROM A TANGENT WHICH BEARS NORTH 88 DEGREES 10' 53" WEST, THROUGH AN ANGLE OF 11 DEGREES 02' 20", AN ARC DISTANCE OF 364.98 FEET TO THE EASTERLY TERMINUS OF SAID CURVE.

EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN SAID PARCEL 2 OF SAID DIRECTOR'S DEED.

ALSO EXCEPT THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFROM AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN



AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS EXCEPTED BY WALTER A. ROLL, A WIDOWER, IN DEED RECORDED December 24, 1959 AS INSTRUMENT NO. 552, AS TO LOT 51 AND AS EXCEPTED BY C.E. GRANT, IN DEED RECORDED June 28, 1957 AS INSTRUMENT NO. 2226 AND BY DEED FROM GACONO TRANI, ET AL., RECORDED DECEMBER 8, 1959 AS INSTRUMENT NO. 911, AS TO LOT 50.

APN(s): 7328-001-011

PARCEL 3:

LOT 3 OF TRACT 27833, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 778, PAGES 68 THROUGH 71, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND A PORTION OF LOT 29 OF TRACT 4546, IN SAID CITY, AS PER MAP RECORDED IN BOOK 50, PAGES 21 AND 22 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND A PORTION OF LOT 1 OF TRACT 43751, IN SAID CITY, AS PER MAP RECORDED IN BOOK 1107, PAGES 93 THROUGH 95, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT SOUTH 89° 42' 40" WEST 134.31 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE ALONG THE WESTERLY LINE OF SAID LOT NORTH 0° 17' 20" TO THE SOUTHERLY LINE OF SAID LOT 29; THENCE ALONG SAID LAST MENTIONED SOUTHERLY LINE SOUTH 89° 42' 40" WEST 64.63 FEET TO THE NORTHEASTERLY LINE OF RECREATION ROAD, 46 FEET WIDE, AS SHOWN ON SAID TRACT 43751; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 38° 23' 41" WEST 387.62 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID TRACT 43751; THENCE NORTH 51° 36' 19" EAST 113.91 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 1, SAID NORTHEASTERLY LINE ALSO BEING THE SOUTHWESTERLY LINE OF SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT RIGHT OF WAY AS PER DEED RECORDED IN BOOK D2465, PAGE 509 AND AS PER DEED RECORDED IN BOOK D2377, PAGE 712, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHEASTERLY AND SOUTHWESTERLY LINES SOUTH 39° 22' 59" EAST 317.41 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1223.43 FEET, A RADIAL TO SAID POINT BEARS SOUTH 50° 54' 16" WEST; THENCE ALONG SAID CURVE AND SAID SOUTHWESTERLY LINE THROUGH A CENTRAL ANGLE OF 8° 15' 22" AN ARC DISTANCE OF 176.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 48° 54' 35" EAST 37.82 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 3 TO THE POINT OF BEGINNING.

PURSUANT TO LOT LINE ADJUSTMENT NO. 20-91 CERTIFICATE OF COMPLIANCE RECORDED JULY 16, 1992, AS INSTRUMENT NO. 92-1293661, OF OFFICIAL RECORDS.

APN(s): 7328-001-006, 007 AND 018

7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
8. **Precedence of Conditions.** If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
9. **City Approvals.** All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
10. **Deposit Account.** A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
11. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 962-14 and Variance No. 554-14. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

SIGNAGE

12. *The applicant shall obtain a sign permit for all future building or lot signage in compliance with the Carson Municipal Code (CMC) 9138.15.E requirements.*
13. *The existing billboard at the southerly end of the project property shall be removed prior to issuance of building permit for the proposed second digital LED display pylon sign.*
14. *The proposed digital LED display pylon sign shall operate as follows:*
 - a. No motion, flashing or animation;*
 - b. Message duration 8 seconds minimum;*
 - c. Message transition shall have instant transition;*
 - d. Require automatic brightness control keyed to ambient light levels;*
 - e. Require display to go dark if there is a malfunction;*
 - f. Hours of operation shall be from 5:00 a.m. to midnight; and*
 - g. Brightness shall be a maximum of 3,500 candelas per square meter daytime and 600 at night.*
15. *The proposed digital LED display pylon sign shall be at least 500 feet from any other electronic message center sign in compliance with CMC 9136.7.B.8.*
16. *The proposed digital LED display pylon sign shall be constructed within a landscape planter of at least 200 square feet in compliance with the CMC.*

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

17. 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.



Car Pros Kia – Altman's Sign Relocation Justification

Why the Car Pros Kia Location Has a Unique Hardship

To better clarify and describe the necessity of the relocation of the Altman's Sign for Car Pros Kia, we have laid out the following justification:

Topography/Property Hardship

- Long, very narrow and located on a curve which directs line of sight away from property.
- Varying topography where parts of property are below freeway grade.
- Property landlocked/sandwiched between flood channel and freeway with one secluded entrance on one end of property only.
- No surface streets surrounding property and entrance not visible from freeway.
- Property not visible even at the bottom of the Northbound Carson Street exit.

Benefits Other Property Owners (Auto Dealerships) Enjoy

- Neighboring Auto Dealerships:
 - All located together on South side of 405 freeway.
 - Dealerships accessible from multiple points to enter dealerships from surface streets in either direction.
 - A minimum of two pylon signs per dealership due to having surface street access and in some cases more.
 - Example:
 - Win Hyundai: Two (2) Signs – freeway electronic and surface street pole sign
 - Win Chevrolet: Two (2) Signs – freeway electronic and surface street pole sign
 - Carson Toyota: Three (3) Signs – freeway electronic, surface street pole sign and monument
 - Carson Honda: Three (3) Signs – freeway electronic, freeway pylon and surface street pole sign
 - Carson Nissan: Four (4) Signs – freeway electronic, freeway pylon, surface street pole sign and monument

Previously Approved Main Freeway Sign

- Main Car Pros Kia Sign:
 - Located approximately in the center of property that is over 6 football fields long.
 - Main sign to advertise and promote Kia specials to increase car sales but is not located to effectively provide directional messages.
 - With over 6 football fields of frontage by the time you pass the main sign you have only one exit and one secluded entrance to find, which is why the Altman's relocated sign is so crucial to give direction.
 - **NOTE:** Due to this excessive length of frontage and distance between the main sign and Altman's relocation, we were unable to simulate both signs in any one photo taken from the freeway, clarifying that each sign serves a different section of the property.

Result Without Relocated Altman's Sign

- If Second Sign Not Approved:
 - Scenario 1: Drivers miss Carson Street exit and exit Wilmington and turn towards Nissan and Honda which are visible from off ramp and pull into Auto Row.
 - Scenario 2: Drivers get frustrated and get back on freeway and buy in neighboring cities.

We hope this helps to clarify the necessity for the relocation of the Altman's sign on the Car Pros Kia property and accurately demonstrate the uniqueness of the situation at hand.

Respectfully,

Car Pros Kia and EMI

EXHIBIT NO. 02

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(2) Pole luminaries shall be bronze "shoebox" type, Spaulding "Cordova II" or equal (no stripes).

(3) Ground level poles shall be bronze with minimum four (4) inch square steel.

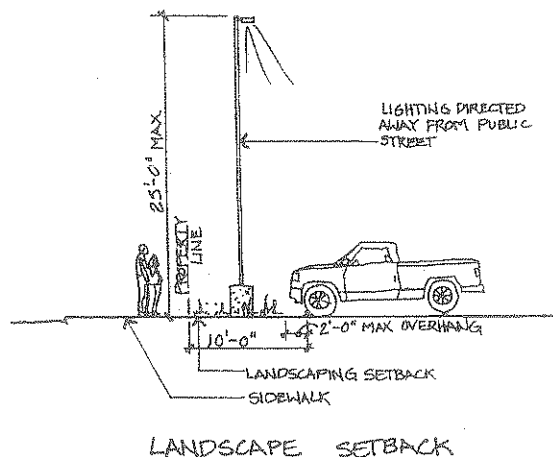
(4) Upper level parking deck poles shall be bronze and not exceed sixteen (16) feet in height with minimum four (4) inch square steel.

(5) All "sales" lot luminaries shall be provided with one thousand (1,000) watt metal halide lamps.

(6) All "support" area luminaries shall be provided with a maximum of four hundred (400) watt metal halide lamps.

(7) Poles shall be mounted on thirty (30) inch high by twenty-four (24) inch diameter round concrete bases with brushed concrete finish.

i. Strings of incandescent fixtures shall not be allowed in any exterior area, except lights associated during December holiday season.



10. Walls/Fencing. Walls constructed on an interior lot line or at the rear of a required landscape setback of the CAD shall be in keeping with the regulations contained herein.

a. Interior lot line walls shall not exceed eight (8) feet in height and rear walls shall not exceed twelve (12) feet in height. Use of barbed, razor or similar wire is prohibited.

b. All service, storage and trash areas shall be screened from view from any public street by a wall. Trash enclosures shall be constructed to the City of Carson enclosure standards on file in the Planning Division.

c. All walls shall be decorative, consisting of splitface masonry, slumpstone, stuccoed

block, stone, wrought iron, or a combination thereof.

d. Chainlink fencing is prohibited. ✓

11. Gates.

a. Security gates located at entrance areas shall not exceed forty-two (42) inches height.

12. Security Bollards.

a. Security bollards, if utilized, shall be placed within the front ten (10) foot landscaped setback area, not to encroach within vehicle display areas. Design and placement shall be subject to Planning Division review.

13. Sound Attenuation.

a. All body repair work (if permitted) and all compressor work shall be performed in a fully enclosed area only. Access doors to such enclosures shall be screened or face away from all public rights-of-way.

b. Air compressor exhaust stacks shall contain a muffling device.

c. Exterior loudspeakers shall not be mounted more than ten (10) feet above finish grade and shall be oriented toward the interior of each parcel.

d. Rooftop-mounted air conditioning and mechanical equipment must be screened from public view and adjacent properties by a screening technique involving integrated architectural design elements.

E. Signage.

1. Introduction. The purpose of this Section is to guide automobile dealers in the selection and placement of their signage. It is the intent to provide a reasonable number of signs, as well as size specifications, in order to provide aesthetic harmony among dealerships. It is further intended to limit the number and size to that required for proper conduct of business, yet controlling and managing the design, aesthetics and placement of all signage. It is desired that artistic flexibility be allowed while maintaining continuity and appropriate scale to the center as a whole. The information contained in these development standards as adopted by the City of Carson establishes mandatory criteria to which each sign must conform. Each business will be responsible for the construction, installation and maintenance of its signage, and must submit for design review approval to the City of Carson pursuant to this Section. Submitted drawings must indicate location, materials, fin-

ishes, height, square footage and method of installation for all proposed signage.

2. Vehicle Dealers' Signs.

a. General Criteria.

(1) Signs will be allowed for the purpose of identifying the buildings, the premises, the uses and special events.

(2) All permanent and temporary signs are to receive the proper permits prior to construction.

(3) Each new dealership shall submit and have approved a plan showing their entire permanent sign program prior to construction of the signs.

(4) All permanent signs, including pole-mounted "product identity," shall be for the purpose of identification or direction only, and shall not contain any promotional advertising.

(5) Billboards or wall-painted signs are prohibited.

(6) Exposed raceways, ballast boxes or transformers are prohibited.

(7) Illuminated signs shall be internally lighted by fluorescent, LED or neon tubes. No luminous or reflective background or script may be attached or applied.

(8) Sign company names or stamps shall be concealed.

(9) Locations, type and size of all permanent signs shall be indicated on the drawings submitted during the design review process for approval by the City.

(10) No roof-mounted signs will be permitted, excluding roof-mounted display areas.

(11) If dealers' sign program is mandated by the vehicle manufacturer and is inconsistent with this Section, specific design review shall be required and approved by the Planning Commission.

3. Freestanding Monument and Pylon Signs.

a. One (1) street-front sign shall be permitted per franchise in the form of a monument and/or pylon type, placed no closer than two hundred (200) feet apart, to identify the dealership name or product. The sign may not contain any temporary, promotional advertising.

b. Monument and pylon signs may contain the following information:

(1) Brand(s) of vehicle sold;

(2) Manufacturer's logo;

(3) Dealer's name;

(4) Identification of used cars and/or trucks.

c. Electronic message signs are prohibited along streets within the CAD, unless they are freeway-oriented.

d. Nonfreeway-oriented pylon sign faces along 223rd Street and other affected streets within the CAD may not exceed sixty (60) square feet in area per side, nor exceed a height of twenty-five (25) feet measured from adjacent natural grade.

e. In addition, one (1) pylon sign per automobile dealership shall be permitted at the rear of the property facing the 405 Freeway. Pylon sign shall not exceed a height of thirty (30) feet measured from freeway grade and shall be architecturally consistent with site development. Freeway pylon sign shall be subject to Planning Commission approval.

f. Monument signs shall not exceed eight (8) feet in height, including base as measured from adjacent natural grade. Base shall be minimum eighteen (18) inches in height.

g. Monument signs are to be located at major public entrance to the site in an area, which will not obstruct the vision of motorists so as to create a safety hazard. Pylon signs are to be located in the center of the front setback area. The signs will be perpendicular to the street and located five (5) feet away from the front property line.

h. Monument and pylon signs are to be located in a landscaped planter of at least 200 square feet.

4. Building-Mounted (Wall) Signs.

a. Primary signs may contain manufacturer's logos, brand of vehicle sold and dealer identity. Secondary signs shall include service, parts or other associated name.

b. Wall-mounted signs shall consist of channel letters/numbers, internally illuminated or back lit with trim caps. Letters for primary building signage (dealer name) shall not exceed thirty-six (36) inches in height nor twenty-four (24) inches in height for secondary signage (i.e., service, parts). Illumination optional for secondary signage. All letters must be securely attached to the wall surface and may not extend beyond the roofline.

c. No more than two (2) rows of letters are permitted.

d. One (1) logo shall be permitted per manufacturer, not to exceed forty-eight (48) inches in height, unless authorized by the Planning Commission.

e. Wall signs shall not exceed seventy (70) percent of building frontage and shall provide a minimum ten (10) percent gap above and below all wall-mounted signs.

5. Information Signs.

a. Signs shall be single-sided, mounted flat on a building or wall, and shall not protrude out from the building. Such informational signs shall be permitted to identify types of services, hours of operation, or other specific functions of a given dealership.

b. Area shall not exceed four (4) square feet.

6. Street Directional Signs.

a. Signage information may include directions to Entrance, Service, Parts, Customer Parking, etc.

b. These signs shall be no more than twelve (12) square feet in dimensional area. Any such freestanding signs shall be a maximum of four (4) feet above grade, unless attached to a building. Design shall be compatible to overall signage program.

c. A maximum of one (1) sign may be permitted per driveway accessing a public street.

d. Signs shall be set back a minimum of five (5) feet from the front property line, unless otherwise approved pursuant to a development plan.

7. Pole-Mounted "Product Identity" Signs.

a. "Product identity" signs, which identify individual auto makes, are to be mounted to auto display lighting poles and may consist of "banner" and/or flag style signs.

b. The maximum dimensions of "banner" style signs will be three (3) feet wide by six (6) feet long having no more than eighteen (18) inches extending on either side of the centerline of the pole. The minimum ground clearance shall be a vertical distance of eight (8) feet measured from the bottom of the sign to the ground surface. "Banner" style signs shall be constructed of a high quality combination of metal and vinyl.

c. The maximum dimension of "flag" style signs will be three (3) feet wide by three (3) feet long mounted on the top of the pole. "Flag"

style signs shall be constructed of a high quality combination of metal, vinyl, and/or nylon.

d. "Banner" and "flag" style product identity signs are to be replaced when they show signs of unattractive wear and/or fading as determined by the City.

e. Each dealership is limited to one (1) product identity sign per lighting pole on the first row of lighting poles parallel to the street curb of the dealership. No product identity signs are permitted on any other poles.

