



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES  
333 West Ocean Blvd., 5<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

June 7, 2012

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATIONS:

Approve a Conditional Use Permit request to allow a used car dealership at the property located at 1991 E. Spring Street. (District 7)

APPLICANT: Farhad Zand  
9626 Artesia Boulevard  
Bellflower, CA 90706  
(Application 1204-01)

## DISCUSSION

The subject site is located at the northwest corner of Spring Street and Cherry Avenue in the IM Medium Industrial zoning district and the General Industry (9G) General Plan Land Use District (Exhibit A – Location Map). Neighboring land uses include a commercial office building adjacent to the site's western property line and an automotive repair service building abutting the northern property line. An Avis Budget car and truck rental land use has occupied this project site since 2007. Prior to this current land use, this site was a Hyundai car dealership from 2003 to 2006.

The applicant is proposing to re-establish a used car dealership at this site. The proposal includes outdoor display areas of vehicles for sale, on-site parking spaces for customers and employees, an existing office building, outdoor security lighting, and landscaping.

The site is currently improved with a one story, 1,758-square-foot office building and paved parking area. As shown on the Site Plan (Exhibit B – Site Plan), there are two areas abutting the street frontages that will be used for display of vehicles for sale. In accordance with Zoning Code Section 21.42.050, a five-foot landscaping strip is proposed along both street frontages.

The parking requirement for automobile sales, as set forth in Table 41-1C of the Zoning Code, is two spaces per 1,000 square feet of gross floor area for interior showrooms, one space per 1,000 square feet of gross lot area for outdoor display area, and four spaces per 1,000 square feet of gross floor area for accessory office and repair service area. Since this proposal does not include any interior showroom space or repair service land uses, required on-site parking would apply to the office and outdoor display area only. The 1,758-square-foot office would

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require seven parking spaces, while the outdoor display area totaling 2,763 square feet (1,683 square feet along Spring Street and 1,080 square feet along Cherry Avenue) would require three parking spaces for a total of ten required spaces. A total of 20 parking spaces are proposed for this land use, located along the western property line and on the southern and eastern walls of the existing office building. This is more than adequate to meet required parking needs.

Approval of a Conditional Use Permit (CUP) is necessary to establish this land use in the IM zoning district. Zoning Code Section 21.52.206 sets forth the specific operating requirements for all types of automotive related services needing CUP approval. The specific requirements of this Section, which are also listed in Exhibit C – Findings, Requirements 3.A – 3.H, are as follows:

- Requirements 3.A and 3.B do not pertain to the IM district, Requirement 3.C applies only to service station land uses, and Requirement 3.D applies only to auto uses located near retail land uses.
- Requirement 3.E states that the proposed use shall not create unreasonable obstructions to traffic circulation around or near the project site. Since the proposed project would have more than code required on-site parking and the proposed curb cuts are located away from the intersection at the northern and western edges of this site, the project would not create any unreasonable traffic circulation obstructions and complies with this requirement.
- Requirement 3.F states that no curb cuts would be permitted within 40 feet of any public roadway intersection. The existing curb cut on Spring Street is located approximately 90 feet from the Spring/Cherry intersection and would be reduced in size to bring this curb cut approximately 114 feet from this intersection. The existing curb cut on Cherry Avenue is located approximately 70 feet from this intersection and would be reduced in width to bring it approximately 84 feet away from the intersection. Both the existing and proposed curb cut locations would therefore comply with this requirement.
- Requirement 3.G restricts storage of vehicles on the site unless an automotive sales land use has been established, so this project proposal would be in compliance with this requirement.

The last requirement under Section 21.52.206 (Requirement 3.H of Exhibit C) states that the site comply with all applicable development standards for open storage in Zoning Code Chapter 21.45 Special Development Standards. The provisions of Section 21.45.140 (Outdoor display for sale or rent of vehicles, equipment, garden supply, or building materials) would apply to the project proposal. The specific development standards of this Section, which are also listed in Exhibit C – Findings, development standards (a.) – (h.), are as follows:

- Development standard (a.) requires a building on the site of at least 300 square feet of floor area with employee restroom facilities and private office space. The existing office building complies with this standard.
- Development standard (b.) requires all display vehicles and display materials to be set back at least five feet from any street and not located in any required parking area. The five-foot landscaping strip along both street frontages (required under Zoning Code

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- Section 21.42.050) satisfies this standard. As shown on the Site Plan, all vehicle display areas are separate from the on-site parking areas.
- Development standard (c.) sets forth minimum surfacing and surface maintenance standards, which have been included in the Conditions of Approval in Exhibit C (see Approval Condition No. 5).
  - Development standard (d.) requires all street frontage setback areas to be landscaped in accordance with Zoning Code Chapter 21.42 (Landscaping Standards), which have been included in the Conditions of Approval for this project (see Approval Condition No. 6 in Exhibit C).
  - Development standard (e.) stipulates that all vehicles displayed along street frontages shall be screened by a compact evergreen hedge or alternate landscaping in a manner which screens the undersides of vehicles from public view (see Approval Condition No. 6 in Exhibit C).
  - Development standard (f.) requires wheel stops for parking spaces (see Approval Condition No. 4 in Exhibit C).
  - Development standard (g.) requires all outdoor lighting to be served by underground wiring and shielded from adjacent properties (see Approval Condition No. 22 in Exhibit C).
  - Development standard (h.) requires all outdoor display areas to be maintained in a neat and orderly condition and all business to be operated in a manner non-detrimental to persons working or residing in the vicinity (see Approval Condition No. 18 in Exhibit C).

As shown on the Site Plan, a five-foot-wide landscaping strip will be provided along both street frontages as required by Zoning Code Section 21.42.050. This landscaping strip is required to provide one tree for each 25 linear feet of street frontage along with three shrubs for each tree. In addition, as stated above, Section 21.45.140 requires screening by a compact evergreen hedge or alternate landscaping. The project would comply with the applicable landscaping requirements of Sections 21.42.050 and 21.45.140 (see Approval Condition No. 6 in Exhibit C).

In summary, the proposed project would not be detrimental to the surrounding community due to the nature of the proposed business operations and adherence to the recommended Conditions of Approval listed in Exhibit C. Staff therefore finds that this project, subject to the Conditions of Approval, meets the intent of Zoning Code Section 21.52.206 and qualifies for CUP approval.

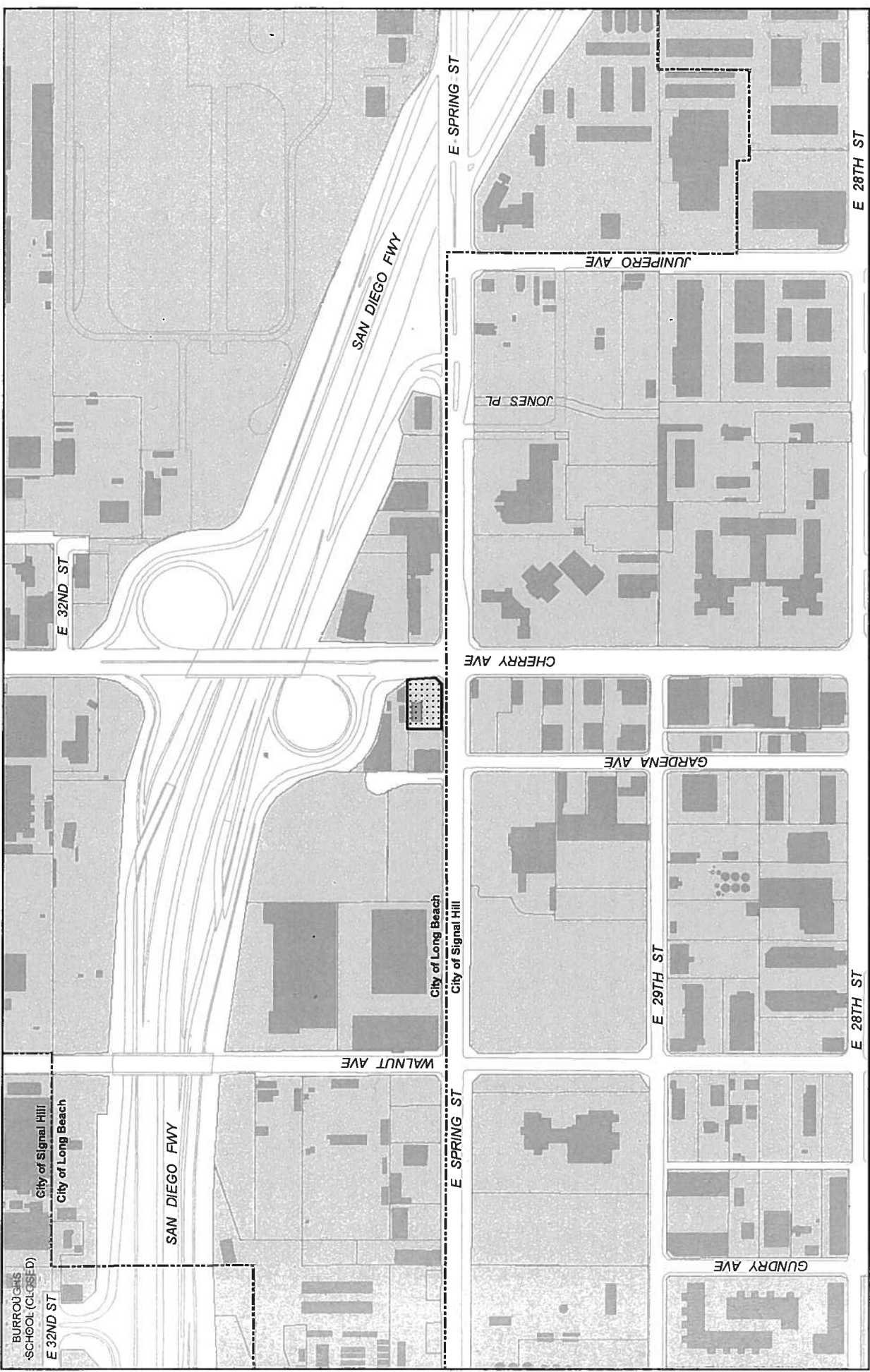
### **PUBLIC HEARING NOTICE**

Public hearing notices were distributed on May 22, 2012 in accordance with Section 21.21.302 of the Long Beach Municipal Code and no responses were received as of the date of preparation of this report.

### **ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption (CE 12-025) was issued for the proposed project (Exhibit D – Categorical Exemption).



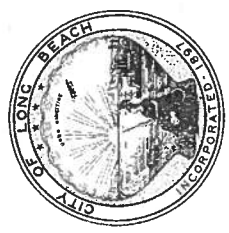


# Exhibit A



## Subject Property:

1991 E Spring St  
 Application No. 1204-01  
 Council District 7  
 Zoning Code : IM



BURROUGHS  
 SCHOOLS (CLOSED)

City of Signal Hill  
 City of Long Beach

City of Long Beach  
 City of Signal Hill

**CONDITIONAL USE PERMIT FINDINGS**

**1991 Spring Street  
App No. 1204-01  
June 7, 2012**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The project site is located in Land Use District 9G (General Industry) of the General Plan. This General Plan District allows non-industrial uses, such as automotive sales, that are necessary or desirable for employment centers. The site is located in the IM Medium Industrial zoning district, which allows automotive sales with the approval of a Conditional Use Permit application. The project site is not located in the Coastal Zone and there are no specific plans, policies or overlay districts that apply to this site.

- 2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

The project proposal would not be detrimental to the surrounding community due to both the nature of the business operations and the Conditions of Approval for this project. The proposed land use does not involve any automotive repair services and would not involve any use or storage of hazardous materials. The outdoor display of vehicles and sales of these vehicles would not create any public health, safety, environmental quality or quality of life adverse impacts.

**3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE AS LISTED IN CHAPTER 21.52.**

The project proposal would be in compliance with all applicable special conditions listed in Chapter 21.52, specifically the conditions listed in Section 21.52.206 (Automobile related services) as follows:

**3.A. In the CB district, such uses shall be limited to locations inside parking structures;**

The project site is not located in the CB zoning district.

**3.B. In the CR and CO zones, conditional use permits shall be limited to the expansion of existing nonconforming uses;**

The project site is not located in either the CR or CO zoning districts.

**3.C. Automobile service station uses shall be limited to: retail sales of fuel, oil and small vehicle parts;**

The proposed land use is used automobile sales only; automobile service station uses are not part of the project proposal.

**3.D. The proposed use shall not intrude into a concentration of retail uses and shall not impede pedestrian circulation between retail uses;**

The properties surrounding the project site are office, automobile oriented, and industrial uses and are not a concentration of retail uses.

**3.E. The proposed use shall not create unreasonable obstructions to traffic circulation around and near the project site;**

The proposed land use would not create unreasonable traffic circulation obstructions in the area around and near the project site. The project proposal would have more than Zoning Code required on-site parking and the proposed curb cuts are located away from the intersection at the northern and western edges of the project site.

**3.F. No curb cuts shall be permitted within forty feet (40') of any public roadway intersection;**

The existing curb cut on Spring Street is located approximately 90 feet from the Spring/Cherry intersection and would be reduced in size to bring

this curb cut approximately 114 feet from this intersection. The existing curb cut on Cherry Avenue is located approximately 70 feet from the intersection and would be reduced in size to bring it approximately 84 feet from this intersection.

**3.G. No vehicles may be stored at the site for purposes of sale, unless the use is also a vehicle sales lot or for the use as parts for vehicles under repair;**

Storage of vehicles for sale would be permitted for automobile sales land use, so this project proposal would be in compliance with this requirement.

**3.H. The site shall comply with all applicable development standards for open storage and repair uses specified in Chapter 21.45 (Special Development Standards).**

The provisions of Zoning Code Section 21.45.140 (Outdoor display for sale or rent of vehicles, equipment, garden supply, or building materials) would apply to this project proposal. The specific development standards of this Section are as follows:

**(a.) Building Required. A building containing not less than three hundred (300) square feet of floor area shall be provided on the same parcel or an adjacent parcel associated with the same business. The building shall contain, at a minimum, employee restroom facilities and private office space for the business.**

The existing office building at the project site, which would be retained as part of this project, totals 1,758 square feet and includes employee restroom facilities and private office space for this proposed land use.

**(b.) Location. The vehicles and other display materials shall be set back five feet (5') from a street and shall not be located in required parking areas.**

The five foot landscaping strip along both street frontages (required under Zoning Code Section 21.42.050) satisfies this requirement. As shown on the project Site Plan, all vehicle display areas are separate from the on-site parking areas.

**(c.) Surfacing. The entire area used for display purposes shall be surfaced with not less than two inches (2") of blacktop or equally serviceable hard pavement surface.**



**The surfaced area shall be maintained in good condition.**

This requirement is included in Approval Condition No. 5 of the Conditions of Approval for this project proposal.

- (d.) Landscaping. All street frontage setback areas shall be landscaped in accordance with the provisions of Chapter 21.42 (Landscaping Standards).**

This requirement is included in Approval Condition No. 6 of the Conditions of Approval for this project proposal.

- (e.) Screening. Display of vehicles and garden equipment located along street frontages shall be screened by compact evergreen hedge or alternate landscaping in a manner which screens the undersides of vehicles from public view. Display of other equipment and materials shall be screened by a solid fence at least six feet (6') in height.**

This requirement is included in Approval Condition No. 6 of the Conditions of Approval for this project proposal. Since the proposed land use does not include display of any equipment or materials, no fence is required.

- (f.) Wheel Stops. Wheel stops or some other type of protective device shall be provided as necessary to prevent vehicles from damaging fences, walls, buildings or landscaped areas, or from extending across any public or private property lines.**

This requirement is included in Approval Condition No. 4 of the Conditions of Approval for this project proposal.

- (g.) Lighting. All outdoor lights shall be served by underground wiring and shall be shielded from adjacent properties.**

This requirement is included in Approval Condition No. 22 of the Conditions of Approval for this project proposal.

- (h.) Maintenance. Outdoor display areas shall be maintained in a neat and orderly condition, and business conducted on the property shall be operated in**

**a manner non-detrimental to persons working or residing in the vicinity.**

This requirement is included in Approval Condition No. 18 of the Conditions of Approval for this project proposal.

## CONDITIONS OF APPROVAL

1991 E. Spring Street

App. No. 1204-01

June 7, 2012

1. The use permitted on the subject site, in addition to the other uses permitted in the IM zoning district, shall be a used car dealership.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).

### Special Conditions

4. A parking and landscaping plan shall be submitted and approved, prior to installation/placement of landscaping, paving, and striping. The number of on-site parking spaces, paving, striping shall comply with Chapter 21.41 (Off-Street Parking and Loading Requirements) of the Long Beach Municipal Code. Areas designated for employee and customer parking shall not be used for vehicle storage or display. Wheel stops shall be provided on all parking spaces in accordance with Section 21.45.140 of the Long Beach Municipal Code.
5. Prior to the issuance of a City Business License and within 90 days from the Notice of Final Action date, the entire project site surface (including all parking/circulation areas and all vehicle display areas) shall be re-slurried and re-striped, and a test-driving route approved to the satisfaction of the Director of Development Services. In accordance with Section 21.45.140 of the Long Beach Municipal Code, the project site surfacing shall be not less than two inches of blacktop or equally serviceable hard pavement surface and shall be maintained in good condition.
6. A minimum five-foot- (5') wide landscape buffer shall be provided along both street frontages on Spring Street and Cherry Avenue. Landscaping shall be provided and maintained in accordance with Chapter 21.42 (Landscaping Standards) of the Long Beach Municipal Code, specifically Section 21.42.050. The landscaping areas located along street frontages shall be screened by compact evergreen hedge or alternate landscaping in a manner which screens the undersides of vehicles from

public view in accordance with Section 21.45.140 of the Long Beach Municipal Code.

7. No streamers, balloons and/or flags shall be placed on the property for advertisement.
8. Test driving shall not occur on residential streets or alleys. Test driving shall only occur on streets designated as major and minor arterial streets. The dealership shall inform all personnel of this requirement to ensure compliance.
9. All loading and unloading shall occur on private property and is limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday, excluding holidays.
10. The use of outdoor speakers is prohibited and all noise-generating equipment shall be located within a building and shall be muffled with sound absorbing materials to minimize noise impacts on adjacent properties.
11. The existing office building shall be repainted to the satisfaction of the Director of Development Services.

**Standard Conditions:**

12. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
13. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at the time of closing escrow.
14. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
15. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
16. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public

Works.

17. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
18. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, and vehicle display areas. In accordance with Section 21.45.140 of the Long Beach Municipal Code, all outdoor display areas shall be maintained in a neat and orderly condition, and business conducted on the property shall be operated in a manner non-detrimental to persons working or residing in the vicinity.
19. Any graffiti found on-site must be removed within 24 hours of its appearance.
20. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
21. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
22. Security lighting shall be provided to the satisfaction of the Long Beach Police Department. All outdoor lighting fixtures shall be served by underground wiring as well as placed and designed in such a manner as to prevent light intrusion on adjacent properties in accordance with Section 21.45.140 of the Long Beach Municipal Code. Prior to the issuance of a building permit, the applicant shall submit landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations. For more information, contact Sgt. David Marander at (562) 570-5767.
23. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
24. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
25. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
  - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
  - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
  - c. Sundays: not allowed

26. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
  
27. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



# NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbs.longbeach.gov

TO:  Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE- 12-025

Project Location/Address: 1991 E. Spring Street, Long Beach 90806  
Project/Activity Description: Used auto sales business.

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: FARHAD ZAND

Mailing Address: 9626 Artesia BLVD Bellflower CA 90706

Phone Number: 714 814 2553 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1204-01 Planner's Initials: SV

Required Permits: CONDITIONAL USE PERMIT

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION Existing Facilities, Section 15301, Class 1

Statement of support for this finding: Use of existing office building and parking lot for used auto sales land use.

Contact Person: Craig Chalfant Contact Phone: 562-570-6368  
Signature: [Signature] Date: 5/22/12