



## NOTICE OF PUBLIC HEARING

**ADDRESS ANY COMMUNICATIONS TO:  
COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION  
701 EAST CARSON STREET  
CARSON, CALIFORNIA 90745**

### **Design Overlay Review (DOR) No. 1940-23**

The Planning Commission of the City of Carson, California, will conduct a public hearing, at which time you may be present and be heard to consider Design Overlay Review No. 1940-23 for proposed demolition of an existing commercial building and construction of a new drive-thru restaurant at **17625 S Central Avenue**. The proposed project site is approximately 23,925 square feet and located in the Commercial, General – Design Overlay (CG-D) zone with a General Plan Land Use designation of Corridor Mixed Use.

The proposed project is limited to Site Plan and Design Review pursuant to CMC Section 9172.23. CEQA applies only to discretionary projects proposed to be carried out or approved by public agencies, and the discretionary component of an action must give the agency the authority to consider a project's environmental consequences to trigger CEQA. Although Site Plan and Design Review approvals pursuant to CMC 9172.23(B)(1) involve discretion of the Planning Commission in applying the facts to determine if the required affirmative findings of CMC 9172.23(D) can be made, the Planning Commission's discretion is limited to the design-related issues included in the required findings. Accordingly, the City cannot impose conditions of approval that constitute environmental impact mitigation measures for DOR No. 1940-23 exceeding the scope of such design-related issues. Additionally, design-related issues such as those found in CMC 9172.23 have been found not to require the separate invocation of CEQA, as it is common sense that such design-related issues do not relate to the potential for whether a project causes a significant effect on the environment. (Pub. Res. Code §21080; McCorkle Eastside Neighborhood Group v. City of St. Helena, 31 Cal.App.5th 80 (2018)). In the alternative, pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, the project is categorically exempt from CEQA, as the proposed project to construct a new drive-through restaurant meets all of the criteria to fall within this exemption category as set forth in said Section 15303 (14 CCR §15303). A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

If you challenge the approval or denial of this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at or prior to, the public hearing. If you are no longer the owner of the property, please forward this notice of hearing to the current owner.

Address any communications or comments regarding the project to Jacob Collins, Assistant Planner at [planning@carsonca.gov](mailto:planning@carsonca.gov) or call (310) 952-1700, Extension 1327. Documents related to the proposed project are on file with the City of Carson Planning Division.

**TIME:** 6:30 P.M., Tuesday, February 27<sup>th</sup>, 2024

**PLACE:** Helen Kawagoe Council Chambers, 2<sup>nd</sup> Floor  
Carson City Hall  
701 East Carson Street  
Carson, California 90745

**APPLICANT:** Marks Architects  
2643 Fourth Ave.  
San Diego, CA 92103

**DATED:** This 15<sup>th</sup> day of February 2024

*K. Bradshaw*

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Dr. Khaleah K. Bradshaw, City Clerk  
City of Carson, California

**ATTACHMENT NO. 4**