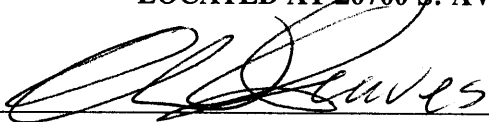


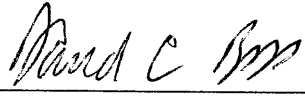


City of Carson Report to Redevelopment Agency

January 17, 2012
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 12-01 APPROVING DESIGN OVERLAY REVIEW NO. 1428-11 FOR A NEW RESTAURANT BUILDING ON THE SEARS ROEBUCK & CO. PARCEL AT THE SOUTHBAY PAVILION SHOPPING CENTER LOCATED AT 20700 S. AVALON BOULEVARD


Submitted by Clifford W. Graves
Economic Development General Manager


Approved by David C. Biggs
City Manager

I. SUMMARY

On December 13, 2011, at a noticed public hearing, the Planning Commission considered and recommended approval of Design Overlay Review (DOR) No. 1428-11 to the Redevelopment Agency for the construction of a new 7,537-square-foot restaurant building on the Sears Roebuck & Co. (Sears) parcel at the SouthBay Pavilion shopping center (Exhibit Nos. 1 and 2). The subject property is located at 20700 S. Avalon Boulevard in the CR-MUR-D (Commercial, Regional – Mixed Use Residential – Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

II. RECOMMENDATION

TAKE the following actions:

1. APPROVE Design Overlay Review No. 1428-11, subject to the conditions of approval attached as Exhibit "B" to the Resolution (Exhibit No. 3).
2. WAIVE further reading and ADOPT Resolution No. 12-01, "A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, APPROVING DESIGN OVERLAY REVIEW NO. 1428-11 FOR THE DESIGN AND DEVELOPMENT OF A NEW RESTAURANT BUILDING AT THE SOUTHBAY PAVILION LOCATED AT 20700 S. AVALON BOULEVARD."

III. ALTERNATIVES

1. DENY the request.
2. CONTINUE the request.
3. REFER the item to the Planning Commission for further consideration.
4. TAKE another action the Agency Board deems appropriate.

IV. BACKGROUND

The applicant, Jerry N. Garner, on behalf of Vintage Real Estate, LLC (Vintage), is proposing two new restaurant buildings on the Sears parcel at the SouthBay Pavilion. The applicant owns several parcels at the SouthBay Pavilion shopping center and operates the mall in conjunction with Sears, JCPenney, Target, and IKEA under a reciprocal easement agreement (REA).

At this time, the applicant is proposing a 7,537-square-foot building for a new Olive Garden restaurant to be located at the southeastern corner of Avalon Boulevard and Carson Plaza Drive. The project site is 0.8 acres and is currently part of the mall parking lot. At a later time, the applicant will propose a second restaurant pad along Del Amo Boulevard on the northern portion of the Sears parcel. Vintage is in the process of securing a tenant for that pad. The applicant has submitted a subdivision map, Tentative Parcel Map No. 71684, which is currently being reviewed by staff and the County of Los Angeles. The subdivision map will create separate parcels for each restaurant pad so that they may be independent of the Sears parcel and leased appropriately. Approval of DOR No. 1428-11 is not contingent upon the subdivision map because multiple commercial buildings on a property with shared parking are permitted under the Subdivision Map Act. The applicant has requested that DOR No. 1428-11 be processed at this time in order to accommodate agreements made with Sears and Olive Garden representatives.

The proposed Olive Garden restaurant will be an integral part of the SouthBay Pavilion. Under the REA, parking and circulation is shared among all users. As part of the overall project, the applicant proposes to redesign the entire Sears parking lot to provide for ninety-degree parking as opposed to the current angled-parking configuration. Additionally, compact spaces of up to 30 percent of the parking field will be provided. The result is a net increase of 78 parking spaces with a total of 4,593 parking spaces throughout the SouthBay Pavilion shopping center. This exceeds the required number of parking spaces of 3,870 spaces as required by Section 9162.21 of the Carson Municipal Code (Exhibit No. 4).

The proposed building will be oriented so that the main entrance is toward Avalon Boulevard. The building will be made of decorative stone material with tile roofing. The building elevations will be treated with trellises, windows, and eaves to enhance the appearance. Landscaping will be provided around the building and within the parking lot (Exhibit No. 5).

The Olive Garden will be open from 11:00 a.m. to 9:00 p.m. Sunday through Thursday and 11:00 a.m. to 10:00 p.m. on Friday and Saturday. Olive Garden

January 17, 2012

representatives expect to have 180 employees and four managers working various shifts. Typical peak seasons occur in the months of December, January, and June. According to the applicant, residents of Carson and nearby communities will be hired.

V. FISCAL IMPACT

The proposed restaurant building is expected to generate tax revenue for the city.

VI. EXHIBITS

1. Planning Commission draft disposition dated December 13, 2011. (pg. 4)
2. Planning Commission Resolution No. 11-2413, recommending approval of Design Overlay Review No. 1428-11 to the Redevelopment Agency. (pgs.5-12)
3. Draft Redevelopment Agency Resolution No. 12-01 approving Design Overlay Review No. 1385-10. (pgs.13-20)
4. Carson Municipal Code 9162.21. (pg. 21)
5. Development Plans are available in the City Clerk's Office for public viewing. (Elevations attached) (pgs. 22-25)

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

TO:Rev102511

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by Redevelopment Agency

Date_____ Action_____



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 13, 2011
SUBJECT: Design Overlay Review No. 1428-11
APPLICANT: Vintage Real Estate, LLC
Attn: Jerry N. Garner, jgarner@vintage-vre.com
11611 San Vincente Boulevard, 10th Floor
Los Angeles, CA 90049
PROPERTY OWNER: Sears Roebuck and Co.
3335 Beverly Road
Hoffman Estates, Illinois 60179
REQUEST: Construct a new 7,537-square-foot restaurant building on the Sears parcel at the SouthBay Pavilion shopping center
PROPERTIES INVOLVED: 20700 S. Avalon Boulevard

COMMISSION ACTION

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

Commissioner Diaz moved, seconded by Chairman Faletogo, to approve the applicant's request, thus adopting Resolution No. 11-2413. Motion carried, 8-0 (absent Commissioner Williams).

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
X		Chairman Faletogo	X		Saenz
X		Vice-Chair Gordon	X		Schaefer
X		Brimmer	X		Verrett
X		Diaz	Absent		Williams
X		Goolsby			

EXHIBIT NO. 1 -

4

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 11-2413

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
CARSON RECOMMENDING APPROVAL TO THE CARSON
REDEVELOPMENT AGENCY OF DESIGN OVERLAY REVIEW NO. 1428-11
FOR THE DESIGN AND DEVELOPMENT OF A NEW RESTAURANT
BUILDING AT THE SOUTHBAY PAVILION LOCATED AT 20700 S. AVALON
BOULEVARD

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, Jerry N. Garner on behalf of Vintage Real Estate, LLC (Vintage), with respect to real property located at 20700 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review No. 1428-11 for the design and development of a new 7,537-square-foot restaurant building on the Sears parcel at the SouthBay Pavilion shopping center.

A Planning Commission meeting was duly held on December 13, 2011, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

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

Section 3. The Planning Commission finds that:

- a) The proposed use and development is consistent with the General Plan, which designates the subject property for Mixed Use-Residential and commercial uses, and the Carson Consolidated Redevelopment Project Area.
- b) The proposed project is part of the SouthBay Pavilion shopping center and is compatible with the architecture and design of existing and anticipated development in the area, including site planning, land coverage, landscaping, appearance, scale of structures and open space.
- c) The project site is part of a planned development for the SouthBay Pavilion shopping center and must comply with the requirements of the reciprocal easement agreement (REA) for the center. Adequate parking spaces will be available and adequate circulation will be provided to assure the convenience and safety of pedestrians and vehicles. The proposed development will have direct access to Avalon Boulevard, and secondary access to Dominguez Street, Leapwood Avenue, and Del Amo Boulevard via internal driveways within the parking lot of the shopping center.
- d) A sign program for the South Bay Pavilion has been approved. All signage associated with this project will comply with the approved sign program in order to assure attractiveness and compatibility with the rest of the shopping center.
- e) The project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and therefore a De Minimis Impact Finding is made relative to AB 3158, Chapter 1706, Statutes of 1990.



Section 4. Pursuant to Section 15303(c), New Construction, of the California Environmental Quality Act (CEQA) Guidelines, the project site is located in a developed, urbanized area and does not involve the use of hazardous substances other than what is typically used for new construction. Adequate public services and facilities are available and the project site is not considered environmentally sensitive. Therefore, the proposed project does not have the potential for causing a significant effect on the environment and is found to be categorically exempt.

Section 5. Based on the aforementioned findings, the Commission hereby recommends approval of Design Overlay Review No. 1428-11 to the Carson Redevelopment Agency 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 13th DAY OF DECEMBER, 2011

CHAIRPERSON

ATTEST:

SECRETARY



LEGAL DESCRIPTION

EXHIBIT "A"

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

PARCEL 1, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 2328 FILED IN BOOK 37, PAGES 4 TO 6 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL 100 PER CENT OF THE OIL, GAS, PETROLEUM, AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP, OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, IN AND UNDER OR RECOVERABLE FROM SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK D 2250, PAGE 752, OFFICIAL RECORDS.

APN: 7381-024-006



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

DESIGN OVERLAY REVIEW NO. 1428-11

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Design Overlay Review No. 1428-11, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. 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. In the event that Tentative Parcel Map No. 71684 is withdrawn or not approved, the applicant shall be responsible for improvements between the Sears department store building and Avalon Boulevard, including providing adequate landscaping, parking, and circulation. This includes requirements made by other agencies during the review of Tentative Parcel Map No. 71684 for the area described above.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
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. 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 by the Planning Commission.
7. The applicant shall submit two complete sets of plans and related documentation 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
9. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.



10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. 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.
12. 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, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1428-11. 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.

AESTHETICS

13. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
14. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
15. All trash and inoperable vehicles shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
16. Building materials shall be of matte finish in order to reduce glare and match the design of the main mall building.

FENCES/WALLS

17. Walls shall conform to the requirements of the Carson Municipal Code and shall be architecturally coordinated with the project building and subject to the approval of the Planning Division.



GRAFFITI

18. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject to graffiti, as determined by the Planning Division.
19. Graffiti shall be removed from all project areas within three (3) days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

LANDSCAPING/IRRIGATION

20. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
22. 6" x 6" concrete curbs are required around all landscaped planter areas, as deemed necessary by the Planning Division.
23. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Annual flowers wherever possible;
 - b. Five and one gallon shrubs;
 - c. Flats of ground cover planted 8-inches on center; and
 - d. Tree height and plant materials to be approved by the project planner prior to installation.
25. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
26. Additional landscaping shall be provided to soften the back of the building. Landscaping may include medium to large-size shrubs and shall be reviewed and approved by the Planning Division prior to installation.

LIGHTING

27. Onsite lighting shall conform to the requirements of the Carson Municipal Code and shall be directed downward and inward so as not to cause light and glare impacts onto adjacent properties and motorists.



28. Per Section 9138.17(D) of the Carson Municipal Code, the applicant shall provide illumination for all storefront entries.

PARKING

29. The required parking shall meet all applicable standards as outlined in the Carson Municipal Code.
30. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
31. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
32. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
33. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
34. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
- Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
35. Parking for the handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

SIGNS

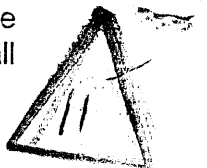
36. A primary wall sign shall be permitted for the front of the building along Avalon Boulevard. Secondary wall signs may be permitted for the sides of the building facing the parking lot. No signage is permitted for the back wall of the building facing the Sears building.
37. All signage shall comply with the requirements of the Carson Municipal Code and the approved sign program for the SouthBay Pavilion. Signs shall be reviewed and approved by the Planning Division prior to installation.

TRASH

38. Trash enclosure design shall be approved by the Planning Division prior to issuance of any building permit(s).

BUILDING AND SAFETY - COUNTY OF LOS ANGELES

38. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.



BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

39. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction project, including but not limited to contractors and subcontractors, shall obtain a City Business License.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

40. A construction permit is required for any work to be done in the public right-of-way.
41. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
42. The Owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County (contact Joaquin Herrera at 626-300-4770).
43. The owner/applicant shall comply with the Standard Urban Storm Water Plan (SUSMP) requirements. Owner/applicant shall coordinate with the city's Development Services Department, Public Works Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

44. Provide water mains, fire hydrants, and fire flows as required by the Fire Department.
45. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

PUBLIC SAFETY - CITY OF CARSON

46. Ensure compliance with current seismic mitigation codes.

SHERIFF'S DEPARTMENT - COUNTY OF LOS ANGELES

47. Digital security cameras with remote internet access by the LA County Sheriff's Office shall be installed to monitor the premises. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement up request.



RESOLUTION NO. 12-01

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, APPROVING DESIGN OVERLAY REVIEW NO. 1428-11 FOR THE DESIGN AND DEVELOPMENT OF A NEW RESTAURANT BUILDING AT THE SOUTHBAY PAVILION LOCATED AT 20700 S. AVALON BOULEVARD

THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, Jerry N. Garner, on behalf of Vintage Real Estate, LLC (Vintage), with respect to real property located at 20700 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Design Overlay Review No. 1428-11 to construct a new 7,537 square-foot restaurant building on the Sears Roebuck & Co. (Sears) parcel at the SouthBay Pavilion shopping center. The subject property is located at 20700 S. Avalon Boulevard in the CR-MUR-D (Commercial, Regional – Mixed Use Residential – Design Overlay) zone and within the Carson Consolidated Redevelopment Project Area.

The Planning Commission held a duly noticed public hearing on December 13, 2011, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid hearing. At the conclusion of said hearing, the Planning Commission adopted Resolution No. 11-2413 recommending approval of Design Overlay Review No. 1428-11 to the Carson Redevelopment Agency.

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

Section 3. The Redevelopment Agency finds that:

a) The proposed use and development is consistent with the General Plan and the Carson Consolidated Redevelopment Project Area. The land-use designation of the subject property is Mixed Use-Residential, which permits the proposed use.

b) The proposed project is compatible with the architecture and design of existing and anticipated development in the vicinity, including site planning, land coverage, landscaping, appearance, scale of structures and open space. Pursuant to Section 9135.1 of the Municipal Code, the proposed development is part of a planned development known as the SouthBay Pavilion. The proposed project is consistent with the SouthBay Pavilion development, including height and setbacks.

c) Adequate parking spaces will be available and are subject to a reciprocal easement agreement (REA) for the SouthBay Pavilion. The REA requires that all parking and circulation be shared amongst all users at the SouthBay Pavilion, including parking adjacent to the proposed restaurant building. Once complete, the proposed project will provide a total of 4,593 parking spaces throughout the SouthBay Pavilion, which exceeds the city's requirement of 3,870 spaces required under Section 9162.21 of the Carson Municipal Code (CMC).

EXHIBIT NO. 03

13

d) The proposed project will not cause serious public health problems since it is a development of a restaurant building at an existing regional commercial shopping center.

e) The project will have adequate circulation to assure the convenience and safety of pedestrians and vehicles. There will be adequate street access and traffic capacity. The proposed development will have direct access to Avalon Boulevard and additional access to Dominguez Street, Leapwood Avenue, and Del Amo Boulevard via internal driveways.

f) The project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and therefore a De Minimis Impact Finding is made relative to AB 3158, Chapter 1706, Statutes of 1990.

Section 4. The Redevelopment Agency further finds that the use permitted by the proposed Design Overlay Review will not have a significant effect on the environment. The proposed use will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the California Environmental Quality Act (CEQA) Guidelines.

Section 5. Based on the aforementioned findings, the Redevelopment Agency hereby approves Design Overlay Review No. 1428-11 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 17th day of January, 2012

Chairman Jim Dear

ATTEST:

Agency Secretary Helen S. Kawagoe

APPROVED AS TO FORM:

City Attorney

[MORE]



EXHIBIT A

LEGAL DESCRIPTION

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

PARCEL 1, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 2328 FILED IN BOOK 37, PAGES 4 TO 6 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL 100 PER CENT OF THE OIL, GAS, PETROLEUM, AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLOR FOR, DEVELOP, OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, IN AND UNDER OR RECOVERABLE FROM SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK D 2250, PAGE 752, OFFICIAL RECORDS.

APN: 7381-024-006

[MORE]



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1428-11

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Design Overlay Review No. 1428-11, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. 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. In the event that Tentative Parcel Map No. 71684 is withdrawn or not approved, the applicant shall be responsible for improvements between the Sears department store building and Avalon Boulevard, including providing adequate landscaping, parking, and circulation. This includes requirements made by other agencies during the review of Tentative Parcel Map No. 71684 for the area described above.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
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. 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 by the Planning Commission.
7. The applicant shall submit two complete sets of plans and related documentation 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.

[MORE]



9. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
10. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. 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.
12. 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, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1428-11. 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.

AESTHETICS

13. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
14. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
15. All trash and inoperable vehicles shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
16. Building materials shall be of matte finish in order to reduce glare and match the design of the main mall building.

FENCES/WALLS

17. Walls shall conform to the requirements of the Carson Municipal Code and shall be architecturally coordinated with the project building and subject to the approval of the Planning Division.

[MORE]



GRAFFITI

18. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject to graffiti, as determined by the Planning Division.
19. Graffiti shall be removed from all project areas within three (3) days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

LANDSCAPING/IRRIGATION

20. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
22. 6" x 6" concrete curbs are required around all landscaped planter areas, as deemed necessary by the Planning Division.
23. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Annual flowers wherever possible;
 - b. Five and one gallon shrubs;
 - c. Flats of ground cover planted 8-inches on center; and
 - d. Tree height and plant materials to be approved by the project planner prior to installation.
25. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
26. Additional landscaping shall be provided to soften the back of the building. Landscaping may include medium to large-size shrubs and shall be reviewed and approved by the Planning Division prior to installation.

LIGHTING

27. Onsite lighting shall conform to the requirements of the Carson Municipal Code and shall be directed downward and inward so as not to cause light and glare impacts onto adjacent properties and motorists.

[MORE]



28. Per Section 9138.17(D) of the Carson Municipal Code, the applicant shall provide illumination for all storefront entries.

PARKING

29. The required parking shall meet all applicable standards as outlined in the Carson Municipal Code.
30. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
31. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
32. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
33. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
34. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
- a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
35. Parking for the handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

SIGNS

36. A primary wall sign shall be permitted for the front of the building along Avalon Boulevard. Secondary wall signs may be permitted for the sides of the building facing the parking lot. No signage is permitted for the back wall of the building facing the Sears building.
37. All signage shall comply with the requirements of the Carson Municipal Code and the approved sign program for the SouthBay Pavilion. Signs shall be reviewed and approved by the Planning Division prior to installation.

TRASH

38. Trash enclosure design shall be approved by the Planning Division prior to issuance of any building permit(s).

[MORE]



BUILDING AND SAFETY - COUNTY OF LOS ANGELES

38. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

39. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction project, including but not limited to contractors and subcontractors, shall obtain a City Business License.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

40. A construction permit is required for any work to be done in the public right-of-way.
41. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
42. The Owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County (contact Joaquin Herrera at 626-300-4770).
43. The owner/applicant shall comply with the Standard Urban Storm Water Plan (SUSMP) requirements. Owner/applicant shall coordinate with the city's Development Services Department, Public Works Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

44. Provide water mains, fire hydrants, and fire flows as required by the Fire Department.
45. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

PUBLIC SAFETY - CITY OF CARSON

46. Ensure compliance with current seismic mitigation codes.

SHERIFF'S DEPARTMENT - COUNTY OF LOS ANGELES

47. Digital security cameras with remote internet access by the LA County Sheriff's Office shall be installed to monitor the premises. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement up request.

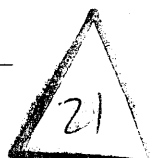
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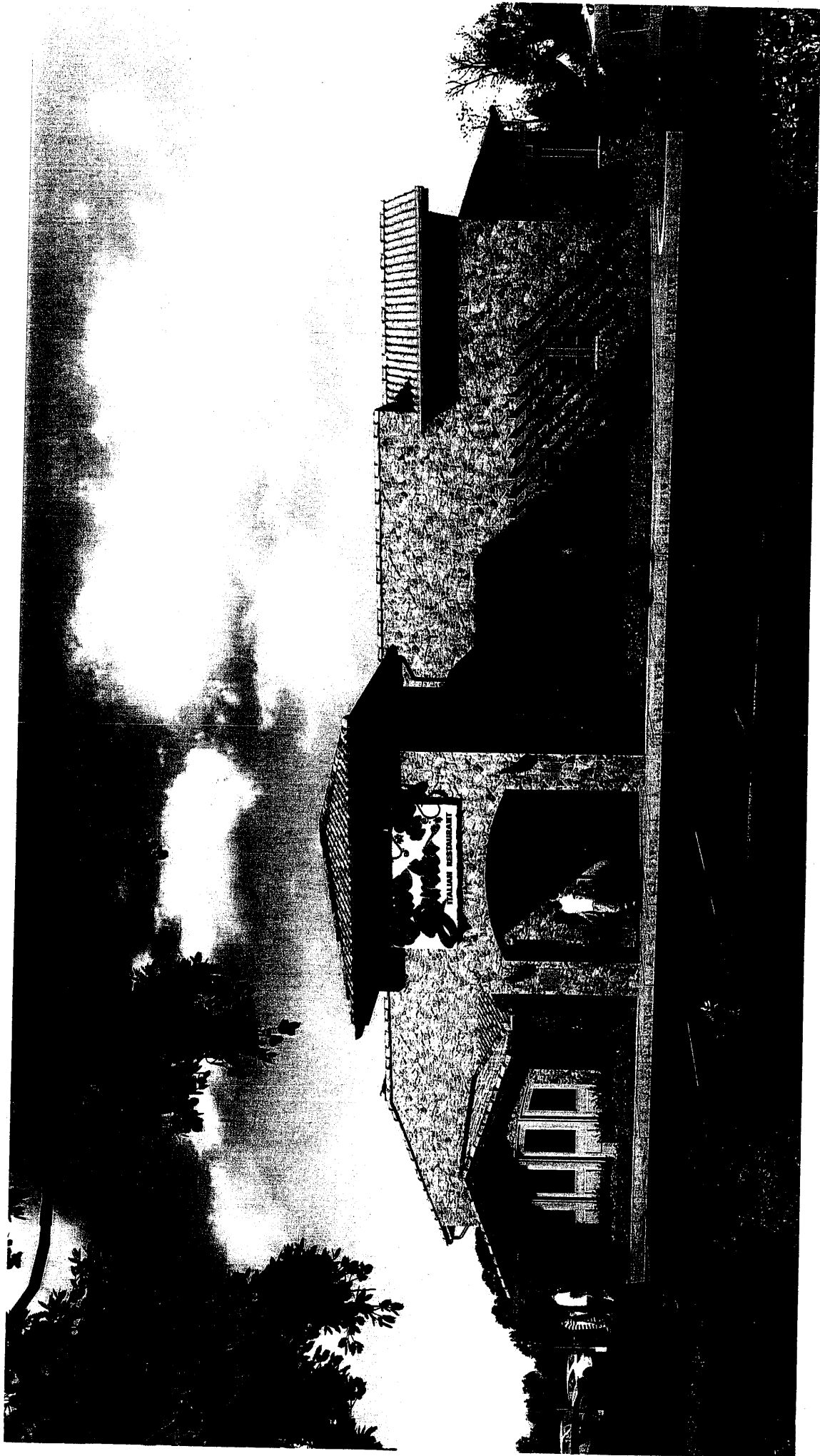


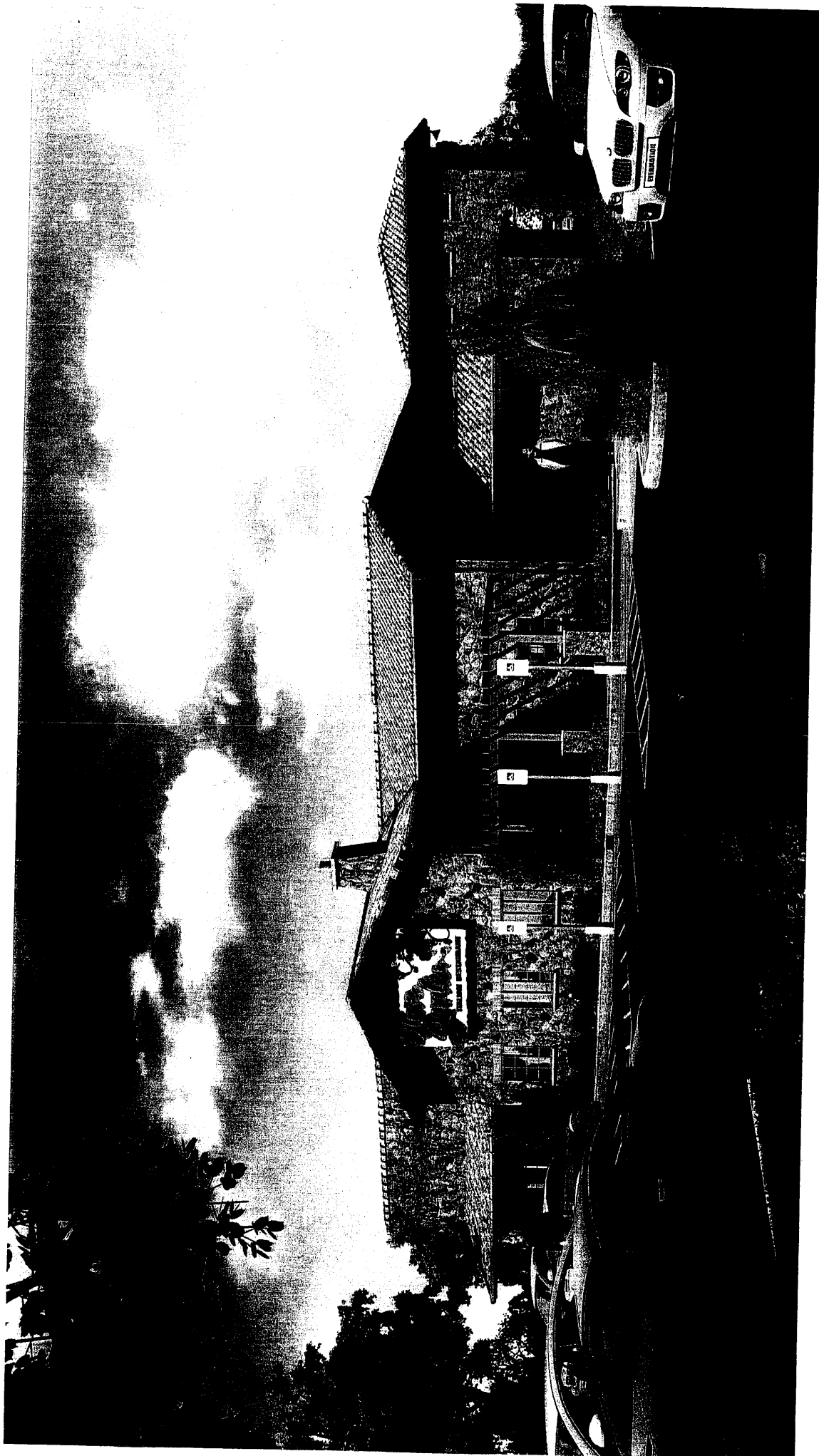
Use	Off-Street Parking Required
(b) Senior high school; business vocational or trade school.	1 space for each 125 square feet of teaching area.
(c) Academic university or college.	1 space for each 500 square feet gross floor area.
7. Library, museum, art gallery.	1 space for each 400 square feet gross floor area.
8. Church, mortuary.	1 space for each 5 fixed seats (or 7-1/2 linear feet of fixed pew or bench) in the largest assembly room. For the area within the largest assembly room not occupied by fixed seats, pew or bench, the off-street parking required shall be 1 space for each 35 square feet of net floor area.
C. Commercial:	
1. Gymnasium, dance hall, skating rink, theater, night club, auditorium, lodge room, sports arena, stadium and other places of public assembly or entertainment.	1 space for each 3 fixed seats (or 4-1/2 linear feet of fixed bench) in the largest room or space for public assembly or entertainment. For the area within the largest room or space for public assembly or entertainment not covered by fixed seats or bench, the off-street parking required shall be 1 space for each 21 square feet of net floor area. There shall be a minimum of 10 parking spaces provided.
2. Dining and drinking establishments.	Areas used exclusively for entertainment shall have a parking requirement as indicated above. All other areas shall have a parking requirement of 1 space for each 100 square feet of gross floor area. There shall be a minimum of 10 parking spaces provided.
3. Bowling alley.	3 spaces for each bowling lane, plus the parking spaces required for the other activities within the building.

Use	Off-Street Parking Required
4. Transient hotel, motel.	1 space for each guest room, plus 2 spaces for the resident manager's unit.
5. Automobile service station.	As required by CMC 9138.12(G).
6. Miscellaneous retail petroleum outlet.	As required by CMC 9138.14(H).
7. Plant nursery.	1 space for each 1,000 square feet of indoor or outdoor sales or display area. There shall be a minimum of 5 parking spaces provided.
8. Offices, studios, retail sales and services and other general commercial activities not classified elsewhere.	1 space for each 300 square feet of gross floor area. There shall be a minimum of 5 parking spaces provided on each site for each use.
9. Driving skill course.	15 spaces per 400 yards of track, and 1 space per employee on the largest shift, plus the parking spaces required for other activities within buildings or on the grounds of the business.
10. Arcade.	1 space for each 200 square feet for gross floor area.
11. Health and exercise salons, health spas, athletics clubs, exercise and dance studios.	1 space per 150 square feet of gross floor area.
12. Automobile dealership.	See CMC 9138.15(D)(6).
13. Vehicle repair and service.	1 parking space shall be provided for each employee on the largest shift, plus 2 parking spaces shall be provided for each service bay. Parking for all other uses shall comply with CMC 9162.21.

EXHIBIT NO. 04







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