



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS DISCUSSION: September 11, 2012
SUBJECT: Modification No. 1 to Design Overlay Review No. 958-06
APPLICANT: Hamid Pournamdari
P.O. Box 1627
Redondo Beach, CA 90278
REQUEST: To modify the conditions of approval of Design Overlay Review No. 958-06 for a perimeter wall, fountain feature and stone veneer finish
PROPERTY INVOLVED: 23601 S. Avalon Boulevard

COMMISSION ACTION

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

COMMISSIONERS' VOTE

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

I. Introduction

The applicant, Hamid Pournamdari, is requesting to modify the conditions of approval to allow for a perimeter wall and to eliminate the construction of a water fountain feature and stone veneer finish along the base of the building for Design Overlay Review No. 958-06 for the property at 23601 S. Avalon Boulevard. The site is in the CN (Commercial, Neighborhood) zone.

On September 25, 2007, the Planning Commission approved Design Overlay Review No. 958-06 and Variance No. 485-06, which included the following:

- Design Overlay Review (DOR) for architectural design of an 8,478-square-foot two-story commercial building on a vacant lot;
- Variance to reduce the required front yard setback.

This request has been referred to the Planning Commission as a minor modification to the DOR with no public hearing required.

II. Background

A two-story commercial building has recently been constructed at the site. A perimeter wall was constructed which was not included in the original approval and without necessary approvals. The site also lacks a water fountain feature and a stone veneer finish that were required by DOR No. 958-06.

A modification application was submitted on January 9, 2012. The applicant proposes to obtain approval for the existing perimeter wall, eliminate the requirement for a water fountain in the interior parking lot and eliminate the requirement for a stone veneer finish along the base of the building. The applicant states that the wall is needed for security, the water fountain would not be visible and that the stone veneer would cause problems with graffiti.

To satisfy the remaining conditions of approval, the applicant submitted a complete sign program on August 14, 2012 and will install business signs consistent with the approved sign program. Staff held the modification request in abeyance pending the applicant's submittal of the required sign program. The proposed modification is now scheduled for tonight's meeting.

III. Analysis

Per Condition No. 4 of the approved conditions of approval, substantial changes require review by the Planning Commission.

At the September 25, 2007 Planning Commission meeting, the Planning Commission, pursuant to Section 9172.23, Site Plan and Design Review, approved the development of the site based on the following findings:



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

The design, as approved, does not incorporate significant design detail and provides a relatively simplistic architectural style. Staff believes that removing the existing perimeter wall and providing a stone veneer finish along the base of the building would give the commercial center improved visibility and architectural appearance. In addition, the design would be enhanced and would create a pedestrian-oriented business. As requested, staff supports that the water fountain be replaced with a landscaped area.

IV. Conclusion

The applicant's proposed modification to DOR No. 958-06 will not meet the findings for Site Plan and Design Review. Staff believes that the added perimeter wall and elimination of the stone veneer finish diminishes the aesthetics of the development and is not in keeping with the newer commercial buildings in the area. Staff believes the only modification that can be supported is the replacement of the water fountain feature in the interior court area with a landscaped area.

V. Recommendation

That the Planning Commission:

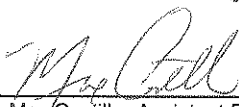
- **DENY** Modification No. 1 to Design Overlay Review No. 958-06; and
- **ADOPT** a minute resolution and instruct staff to make necessary changes to Resolution No. 07-2171

VI. Exhibits

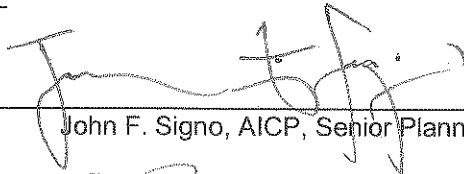
1. Staff Report for Design Overlay Review No. 958-06 dated September 27, 2007 (without exhibits)

2. Planning Commission Resolution No. 07-2171
3. Applicant's modification request letter dated December 27, 2011
4. Project Plans (Separate from this report)


Prepared by:


Max Castillo, Assistant Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp-Loadman, Planning Officer

Mc/d95806_23601Avalon_Mod1_p





CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 25, 2007

SUBJECT: Design Overlay Review No. 958-06 and Variance No. 485-06 and Conditional Use Permit No. 679-07

APPLICANT: Hamid Pournamdari
P.O. Box 1627
Redondo Beach, CA 90278

REPRESENTATIVE: Manuel / Tanya Lam
4632 W. 130th St.
Hawthorne, CA 90250

REQUEST: To approve a new commercial building with alcoholic beverage sales for one tenant on a currently vacant property in the CN (Commercial, Neighborhood) zone district, and approve a variance request for reduction of the required front yard setback.

PROPERTY INVOLVED: 23601 S. Avalon Blvd.

COMMISSION ACTION

☒ Concurred with staff

☐ Did not concur with staff

☐ Other

Commissioner Saenz moved, seconded by Commissioner Verrett, to approve the applicant's request for Design Overlay Review No. 958-06, Variance No. 485-06, and to continue indefinitely the request for Conditional Use Permit No. 679-07. Motion carried.

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chairman Faletogo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Graber
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vice-Chair Hudson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Saenz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Verrett

EXHIBIT NO. 1 -

5

I. Introduction

Applicant

- Hamid Pournamdari; P.O. Box 1627; Redondo Beach, CA 90278

Property Owner

- Same as applicant

Representative

- Manuel / Tanya Lam; 4632 W. 130th St.; Hawthorne, CA 90250

Project Address

- 23601 S. Avalon Blvd.

Project Description

- To construct an 8,478 square foot two-story commercial retail center building on a vacant property in the CN (Commercial, Neighborhood) zoned district.
- To allow the sale of alcoholic beverages at the proposed retail center in the CN (Commercial, Neighborhood) zoned district.
- The project will include 11 tenant spaces. Primary unit entrances will be oriented towards the parking area while secondary entrances for the first floor tenants will be oriented towards Avalon Boulevard and Isabel Avenue.
- The building will provide a 10 foot setback from Avalon Boulevard and Isabel Avenue. A variance is requested from Section 9136.23 of the Carson Municipal Code to reduce the required front yard setback from 20 feet to 10 feet along Avalon Boulevard. The proposed building will be enhanced with 10 feet of front and side yard landscaping. Site improvements will also include an interior courtyard with a water fountain feature.
- The applicant proposes a stucco building with a stone veneer finish along the base of all exterior walls, pilasters and tile insets. The roofline will consist of cornices and roof tiles. Maximum building height will be 28 feet. A trash enclosure will be located near the western portion of the property. The parking lot will provide 28 parking spaces with 17 standard spaces and two spaces designated for disabled persons.
- The project will include a center monument sign and individual tenant signs consisting of channel letters.
- Two existing driveways will be closed and stamped concrete entrances will be provided for two existing driveways.
- The proposal includes the following discretionary requests:
 - *Site Plan and Design Review*: Pursuant to Section 9172.23, the Planning Commission has the approval authority because the proposed facility is proposed on a CN zoned property and is valued at more than \$50,000.
 - *Variance*: Per Section 9136.23, a 20 foot front yard setback is required. The applicant is proposing a 10 foot front yard and requests the approval of a variance from front yard setback requirements.



- *Conditional Use Permit:* Per Section 9172.21, the Planning Commission has the approval authority because alcohol sales are proposed.

II. Background

This item has been continued from the Planning Commission meetings of February 27, March 27, April 10, and May 8, 2007. At the May 8 meeting, the item was continued indefinitely.

Previous Uses of Property

- The property is currently vacant. City records indicate previous uses included gas stations with the earliest permits dating back to 1964. A building permit to demolish the last previous gas station was approved in 1998.

Previously Approved Discretionary Permits

- Design Overlay Review 322-85 and Variance 213-85: Site plan and design review to convert existing gas station into a self-service station. A variance for setback requirements was also approved.

Public Safety Issues

- After consulting with the Public Safety Department, it was determined that there have not been nor are there any current zoning code enforcement cases associated with this property. However, several crime prevention recommendations have been suggested for the site and include restricted curb parking, an enclosed and relocated trash area, landscaping to deter graffiti and a video surveillance system.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 23601 S. Avalon Boulevard and is currently vacant;
- Adjacent to the subject property is a commercial shopping center to the north, single family to the south, and multi-family developments to the east across Avalon Boulevard and west across Idabel Avenue;
- The property is irregularly-shaped. The lot is approximately 154 feet in length and the maximum width is 140 feet, with a total lot area of 21,190 square feet;

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned CN (Commercial, Neighborhood) and properties to the north share the same Zoning designation of CN; adjacent properties to the south are zoned RS (Residential, Single-family); properties across both Avalon Boulevard and Idabel Avenue are zoned RM (Residential, Multi-family).
- The subject property has the General Plan Land-Use element designation of Neighborhood Commercial and the property to the north shares the same



General Plan Land-Use element designation of Neighborhood Commercial; properties to the south have the General Plan Land-Use element designation of Low-Density Residential; and properties to the east and west have the General Plan Land-Use element designation of Medium and High-Density Residential.

Applicable Zoning Ordinance Regulations

The following table summarizes the proposed project's consistency with current site development standards for the CN zone district and other zoning code sections applicable to this type of proposed use:

Applicable Zoning Ordinance Sections	Compliance	Non-Compliance
Section 9131.1 – Uses Permitted		Approval of Site Plan and Design Review required
Section 9136.23 – Front Yard		For through lots, a 20' setback is required along both Idabel and Avalon Blvd. - Approval of a variance required
Section 9136.4 – Trash and Recycling Areas	x	
Section 9136.7 - Signs	x	
Division 7 – Environmental Effects – Section 9137.1 – Exterior Lighting	x	
Section 9162.42 – Parking for the Disabled and Associated Signing and Ramping	x	
Section 9162.43 – Compact Automobile Parking Spaces	x	
Section 9162.51 – Standards for Automobile Parking Lot Design	x	
Section 9172.21 – Conditional Use Permit		Compliance determined upon further review of required discretionary permit
Section 9172.22 - Variance		Compliance determined upon further review of required discretionary permit
Section 9172.23 – Site Plan and Design Review		Compliance determined upon further review of required discretionary



		permit
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Required Findings: Site Plan and Design Review

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

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

Required Findings: Variance

Pursuant to Section 9172.22 – Variance, the Planning Commission may approve the proposal only if the following finding can be made in the affirmative:

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

The applicant requests a variance from Section 9136.23 of the Carson Municipal Code to reduce the required 20 foot front yard setback. The building will be setback 10 feet from the front property line along Avalon Street.

The building will be located on a 21,190 square foot property with frontage on two streets. The current layout, with the building located close to the street, will allow driveways to be located further away from the intersection allowing adequate traffic circulation both on and off-site. Strict application of the 20-foot front yard setback would not produce adequate traffic circulation for the site. Staff believes that by bringing the façade closer to the street, the smaller setback would give the commercial center improved visibility and identification. In addition, the design will be enhanced and will create a pedestrian-oriented business.



The narrow width of the property creates practical difficulties in the placement and orientation of any buildings. There are a number of factors that support building orientation closer to the street including the irregular shape of the property, limited property width, adjacency to residential uses and corner location. Strict application of the Municipal Code deprives the proposed commercial center of privileges enjoyed by other property in the vicinity under identical zoning classification.

Required Findings: Conditional Use Permit

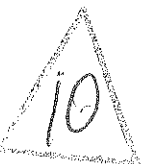
Section 9172.21 (D) of the CMC requires that the Planning Commission, by Resolution, render its approval for a Conditional Use Permit based on the ability to make affirmative findings concerning the following:

- a. The proposed use and development will be consistent with the General Plan;
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development;
- c. There will be adequate street access and traffic capacity;
- d. There will be adequate water supply for fire protection;
- e. The proposed use and development will be compatible with the intended character of the area; and
- f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

In addition to the general criteria for the approval of a Conditional Use Permit, Section 9138.5 outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit to allow for alcoholic beverage sales in a commercial zone intended for off-site consumption:

- a. No off-sale business (incidental) shall be established within three hundred (300) feet of any school or park, and no off-sale business (primary) shall be established within three hundred (300) feet of any school, park or church. The distances set forth in the preceding sentence shall be determined by measuring from lot line to lot line;
- b. The total number of on-sale businesses shall not exceed 85; and
- c. The total number of off-sale businesses shall not exceed 70.

Based upon the information found in this Analysis section, all of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" and Section 9172.22, "Variance - Commission Findings and Decision" can be made in the affirmative. Specific details regarding the



applicable findings and all other specific criteria identified for each of the discretionary permits are incorporated in the attached resolution.

All of the required findings pursuant to Section 9171.21(d), "Conditional Use Permit, Commission Findings and Decision", is to be discussed at this time. Staff recommends that the Planning Commission take action on the conditional use permit for alcohol sales when a tenant proposing alcohol sales has been confirmed by the applicant.

Issues of Concern / Proposed Condition/Change:

- Issue – Signs: Per Section 9136.7 of the Carson Municipal Code, signs are subject to design requirements.
 - *Proposed Condition/Change:* The applicant shall submit a sign program to the Planning Division for approval.
- Issue – Off-Site Parking: Per the City's traffic engineer and the Public Safety Department, street sweeping signs shall be placed on Isabel Avenue and Avalon Boulevard street frontages.
- Issue – Public Safety: Per Public Safety Department comments, staff recommends installation of a video surveillance system and alarm system.

IV. Environmental Review

Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), the urban infill construction of the commercial center is "Categorically Exempt."

V. Recommendation

That the Planning Commission:

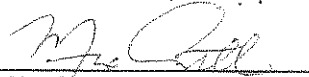
- CONTINUE Conditional Use Permit No. 679-07 indefinitely;
- APPROVE Design Overlay Review No. 958-06 and Variance No. 485-06; and
- WAIVE further reading and ADOPT Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson Approving Design Overlay Review No. 958-06 and Variance No. 485-06 for the Construction of a Commercial Building and a Reduced Front Yard Setback at 23601 South Avalon Boulevard."



VI. Exhibits

1. Land use map
2. Resolution
3. Site plan, elevations, floor plans (under separate cover)

Prepared by:


Max Castillo, Assistant Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp-Loadsman, Planning Division Manager

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CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 07-2171

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING DESIGN OVERLAY REVIEW NO. 958-06 AND VARIANCE NO. 485-06 FOR
THE CONSTRUCTION OF A COMMERCIAL BUILDING AND A REDUCED FRONT YARD
SETBACK AT 23601 SOUTH AVALON BOULEVARD.

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

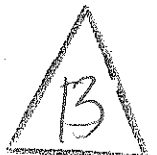
Section 1. An application was duly filed by the applicant, Hamid Pournamdari, represented by Manuel/Tanya Lam, with respect to real property located at 23601 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting approval of a Site Plan and Design Review (DOR 958-06) to construct a two-story commercial retail building in the CN (Commercial, Neighborhood) zoned district. Approval of a variance request (Variance 485-06) to reduce the required front yard setback is also requested.

A public hearing was duly held on September 25, 2007, 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 General Plan designates the property as Neighborhood Commercial with which the proposed use is compatible. The multi-tenant commercial center will be complementary to the surrounding commercial and residential uses and will be appropriate for the subject property. Adjacent to the subject property is a multi-tenant commercial center to the north and single family residences to the south; multi-family residential developments are located to the west across Idabel Avenue and to the east across Avalon Boulevard;
- b) The project will be compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area. Design features include a stone veneer finish, pilasters, tile insets, tile roof and cornices. Improvements to the site will include perimeter landscaping and a water fountain feature;
- c) The site is also adequate in size, shape, topography, location, utilities, and other factors to accommodate the existing use and development. The site is 0.5 acres in area and is surrounded by commercial and residential properties. Water mains, fire hydrants, and fire flows will be provided per Fire Department requirements;



- d) Convenience and safety of circulation for pedestrians and vehicles will be provided. The site will be paved and the required number of parking spaces (28) will be provided. Two existing driveways will provide access to the site. Circulation on the adjacent public streets will not be adversely impacted. To allow street sweeping along the street frontages, street sweeping signs restricting parking shall be placed along Idabel Avenue and Avalon Boulevard subject to approval by the City Traffic Engineer;
- e) To ensure attractiveness, effectiveness and restraint for existing and proposed signage, the applicant shall submit a sign program to the Planning Department for approval. The sign program shall include a center monument sign and require channel letters for unit signs;
- f) The applicant requests a variance from Section 9136.23 of the Carson Municipal Code to reduce the required 20 foot front yard setback. The building will be setback 10 feet from the front property line along Avalon Boulevard.

The building will be located on a 21,190 square foot property which fronts two streets. The current layout, with the building located close to the street, will allow driveways to be located further away from the intersection allowing adequate traffic circulation both on and off-site. Strict application of the 20-foot front yard setback would not produce adequate traffic circulation for the site. By bringing the façade closer to the street, the reduced setback would give the commercial center improved visibility and identification. In addition, the design will be enhanced and will create a pedestrian-oriented business.

The unusual configuration of the property creates practical difficulties in the placement and orientation of any buildings. There are a number of factors that support building orientation closer to the street including the irregular shape of the property, adjacency to residential uses and corner location. Strict application of the Municipal Code deprives the proposed commercial center of privileges enjoyed by other property in the vicinity under identical zoning classification.

- g) Findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" and Section 9172.22, "Variance – Commission Findings and Decision" can be made in the affirmative.

Section 4. The Planning Commission further finds that the uses permitted by the proposed Design Overlay Review and Variance will not have a significant effect on the environment. The proposed uses will not alter the commercial and residential character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under CEQA, Section 15332, Infill Development.


Section 5. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 958-06 and Variance No. 485-06 with respect to the properties 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 25th DAY OF SEPTEMBER, 2007


CHAIRMAN

ATTEST:


SECRETARY

EXHIBIT "A"

Legal Description

Lot 2 of Tract No. 29042, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 711, Pages 37 to 42 inclusive of Maps, in the Office of the County Recorder of said County.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 958-06
VARIANCE NO. 485-06

GENERAL CONDITIONS

1. If Design Overlay Review No. 958-06 and Variance No. 485-06 are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. 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.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, 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.
5. 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.
6. 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.
7. It is further made a condition of this approval that if any condition is violated or if any law, statute or 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.



8. 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.
9. 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.
10. 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. 958-06 and Variance No. 485-06. 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.

PARKING

11. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
12. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
13. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
14. 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.
15. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
16. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.



LANDSCAPING/IRRIGATION

17. 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.
18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
19. 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.
20. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Vine-like landscaping along perimeter walls;
 - b. Annual flowers wherever possible; and
 - c. Irrigation system designed to commercial grade standards.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
23. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

24. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to Planning Division approval.
25. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
26. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
27. Graffiti shall be removed from all project areas within 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.).



SIGNS

28. A sign program shall be submitted to the Planning Division prior to the issuance of a building permit(s). The sign program shall detail all signs to be erected including location, size, type, materials, etc. All signs shall be subject to the approval of the Planning Division.
29. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.
30. All permitted business signs must be in compliance with the provisions of Section 9136.7 of the Zoning Ordinance.

FENCES/WALLS

31. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) of the Zoning Ordinance.

LIGHTING

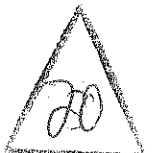
32. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.
33. A lighting plan which details locations, orientation, illumination and light standard dimensions shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
34. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

TRASH

35. The trash enclosure and recycling area shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
36. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

37. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden.



38. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
39. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
40. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
41. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
42. All hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All hydrants shall be installed a minimum of 25' from a structure or protected by a two hour fire wall. Location as per map on file with this office.
43. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
44. Submit fire flow information to the Fire Department for approval.

PUBLIC SAFETY - CITY OF CARSON

45. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.
46. Ensure compliance with current seismic mitigation codes.
47. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.
48. Video surveillance of the convenience store shall be recorded 24-hours per day, 7-days a week and stored electronically for future review, if necessary.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

49. Prior to issuance of Building Permit, a soils report, drainage concept, and stormwater quality plan, if required, shall be reviewed and approved. Building Permit issuance will not be granted until the required soils and drainage information have been received and found satisfactory.
50. Comply with mitigation measures recommended in the approved soils, drainage concept and stormwater quality plan, as necessary.



51. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
52. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
53. Repair any broken or raised sidewalk, curb and gutter along Idabel Avenue and along Avalon Boulevard within or abutting this proposed property per City of Carson Standard and to the satisfaction of the City Engineer.
54. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
55. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach.
56. Where sidewalks meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
57. Remove unused driveways if any, and replace it with full height curb, gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
58. Modify any wheelchair ramps per City of Carson Standard in compliance with ADA requirements.
59. Prior to issuance of Certificate of Occupancy, off-site improvements shall be in place to the satisfaction of the City Engineer.
60. Place street sweeping signs along Idabel Avenue and along Avalon Boulevard to the satisfaction of the City Traffic Engineer.
61. The Developer shall submit a Grading Plan, if necessary, prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
62. A construction permit is required for any work to be done in the public right-of-way.
63. 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.
64. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.



65. The Developer shall construct and guarantee the construction of all required drainage infrastructures, if necessary, subject to the approval of the City Engineer.
66. Prior to issuance of Building Permit, the following must be on file:
- a. Drainage plan as approved by the Los Angeles County Department of Public Works.
 - b. Construction bond as required for all work to be done within the public right of way.
 - c. Proof of Worker's Compensation and Liability Insurance.
67. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
68. Idling of tow trucks, flatbed trucks, or any other vehicles for extended periods of time is prohibited.
69. Truck traveling onsite during construction and grading activities will maintain a speed of less than 15 miles per hour to control dust levels.
70. Transport of product, both removal and deposit, shall be planned so to minimize the number of trips. This shall be done by planning destination routes to and from the site and filling hauling trucks to the maximum capacity prior to shipment.
71. Suspend construction activities and loading of grading materials when wind speeds exceed 25 miles per hour.
72. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.
73. Prior to issuance of a Building Permit, an approved drainage and grading plan must be on file.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

74. 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.



Hamid Pournamdari

P.O.BOX 1627

Redondo Beach, CA 90278

310-408-7608

hamiddari@yahoo.com

December 27, 2011

Mr. Max Castillo
Assistant Planner
City of Carson, Planning Department
701 E Carson ST
Carson CA 90745

Subject: Request for modifications for the Property located at 23601 Avalon BLVD, Carson

Dear Mr. Castillo,

The above project was approved by your planning commission on 2007, for the 2 story retails/offices now the building is completed. Due to the fact I was facing a major problem with the some people getting to my property many times and breaking in to the building and tags and vandalize and burglarized my property that force me to spend more than 35,000.00 to build a 3 ½ foot high perimeter wall around the property to protect my investment. Now I would like to request the following modification from the planning commissions: 1. 3 ½ foot high perimeter wall. 2. Eliminate Brick Veneer because the building is very nice without them and problem with tagging 3. Eliminate water Fountain because the back of the building facing the street and then fountain place on the face of the building.

If you have any question you could reach me at 310-408-7608. Thank you.

Sincerely,

Hamid Pournamdari
Property owner

EXHIBIT NO. 3 -

